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ORGANIZATION OF AMERICAN STATES

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New Secretary General of the Organization

Budget of the Pan American Union for 1956-1957

Conference on the Continental Shelf and Marine Waters

Inter-American Port and Harbor Conference

Agreements between Costa Rica and Nicaragua

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ORGANIZATION OF AMERICAN STATE

GENERAL SECRETARIAT • PAN AMERICAN UNION

WASHINGTON, D. C.

JOSÉ A. MORA, *Secretary General* WILLIAM MANGER, *Assistant Secretary Gen*

THE Organization of American States, whose origins date back to the First International Conference of American States (Washington, 1889–90), is founded upon the Charter signed at the Ninth International Conference of American States on April 30, 1948.

The following American states are members of the Organization: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the United States, Uruguay, and Venezuela.

By the Charter, which became effective on December 13, 1951, the American states established the international organization that they had developed to achieve an order of peace and justice, promote their solidarity, strengthen their collaboration, and defend their sovereignty, their territorial integrity, and their independence. Within the United Nations, the Organization is a regional agency.

The Organization of American States accomplishes its purposes by means of the Inter-American Conference; the Meeting of Consultation of Ministers of Foreign Affairs; the Council; the Pan American Union; the Specialized Conferences; and the Specialized Organizations.

The Inter-American Conference is the supreme organ of the Organization of American States. It decides the general action and policy of the Organization, determines the structure and functions of its organs, and has the authority to consider any matter relating to friendly relations among the American states.

The Council of the Organization, which functions at Washington, the seat of the Pan American Union, is composed of one Representative of each member state, appointed by the respective government, with the rank of Ambassador. Each Representative has the right to one vote, and decisions are taken by a majority vote, except when otherwise expressly provided for. The Council takes cognizance, within the limits of the Charter and inter-American treaties and agreements, of any matter referred to it by the Inter-American Conference or the Meeting of Consultation of Ministers of Foreign Affairs. It may serve provisionally as the Organ of Consultation, in accordance with the Charter of the Organization and the Inter-American Treaty of Reciprocal Assistance, and it has special functions in the peaceful solution of controversies, under the provisions of the American Treaty on Pacific Settlement. It elects the Secretary General of the Organization and the Assistant Secretary General, who is Secretary of the Council.

The Council takes action itself or acts thro its three technical organs: the Inter-Ameri Economic and Social Council, the Inter-Ameri Council of Jurists, and the Inter-American C tural Council. The first of these Councils functi at the Pan American Union and the other meet, when convened by the Council of the Org ization, at places chosen by themselves.

The Pan American Union is the perman central organ and General Secretariat of Organization. It was founded on April 14, 1890 the First International Conference of Ameri States, and this date is celebrated annually Pan American Day.

By reason of resolutions adopted at vari International Conferences of American States, Pan American Union has been expanding its in American cooperative activities in the econon social, juridical, and cultural fields. Its techn and administrative offices are grouped in the lowing four Departments: Economic and So Affairs; International Law; Cultural Affairs; Administrative Services. The Directors of the f three Departments serve as the Executive Se taries of the Inter-American Economic and So Council, the Inter-American Council of Juri and the Inter-American Cultural Council, resp tively.

As General Secretariat of the Organization, Pan American Union also performs the follow functions: advising the Council and its organs the preparation of programs and regulations the Inter-American Conference, the Meeting Consultation of Ministers of Foreign Affairs, the Specialized Conferences; placing, to the ext of its ability, at the disposal of the governmen the country where such a conference is to be h the technical aid and personnel that such gove ment requests; serving as custodian of the do ments and archives of the Inter-American Con ence, the Meeting of Consultation of Ministers Foreign Affairs, and, in so far as possible, Specialized Conferences; serving as depositor the instruments of ratification of inter-Ameri agreements; submitting to the Council an ann report on the activities of the Organization; submitting to each Inter-American Conferenc report on the work accomplished by the organs the Organization since the previous Confere The Secretary General participates with vo but without vote, in the Inter-American Con ence, the Meeting of Consultation of Ministers Foreign Affairs, the Specialized Conferences, the meetings of the Council and its organs.

The American states contribute to the mainenance of the Pan American Union through ann quotas assigned on bases determined by the Co cil of the Organization.

Annals of the Organization of American States

Editor: Fernando Hazera

Research Assistant: Maryjo S. Carlson

The Pan American Union, in order to disseminate as widely as possible the activities of the Organization of American States, began in 1949 the publication of the ANNALS OF THE ORGANIZATION OF AMERICAN STATES. It hopes in this way to further the purposes of the Charter of the Organization, which was signed at the Ninth International Conference of American States and embodies all the doctrines and principles that govern harmonious relations between the nations of America.

This quarterly publication, which is issued in separate English, Spanish, French, and Portuguese editions, contains texts of official documents signed at the Inter-American Conference, which is the supreme organ of the Organization of American States and decides its general action and policy; the Meeting of Consultation of Ministers of Foreign Affairs, which considers problems of an urgent nature of common interest to the American states; the Council, which takes cognizance, within the limits of the Charter and inter-American treaties and agreements, of any matters referred to it by the Inter-American Conference or the Meeting of Ministers of Foreign Affairs; the Pan American Union, which is the central and permanent organ and General Secretariat of the Organization; the Specialized Conferences, which deal with special technical matters or develop specific aspects of inter-American cooperation; and the Specialized Organizations, which are the intergovernmental organizations established by multilateral agreements and having specific functions with respect to technical matters of common interest to the American states. An analytical index of the ANNALS will be published each year to facilitate its use as a reference work. The publication is also included in the *International Index to Periodicals.*

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The Council

ew Members

EDUARDO AUGUSTO GARCÍA, REPRESENTIVE OF ARGENTINA.—Eduardo Augusto rcía, former Undersecretary of Foreign fairs of Argentina and newly-appointed presentative of Argentina to the Council the Organization of American States was lcomed to his first meeting of the Council April 2, 1956.

Ambassador García was born in Mendoza, gentina, on May 25, 1898, the son of luardo García Capella and Manuela Olires. He received his primary and second- education in his native city. He atnded the University of Buenos Aires, from ich he received his law degree in 1925. In 31 he received the degree of Doctor of risprudence from the same University.

Dr. García served on the staff of the enos Aires newspaper *La Prensa* from 28 to 1932. For many years he has been ive in the campaign to promote oral timony in his native country. In 1932 he nded the Asociación Pro Juicio Oral ssociation for Oral Testimony) and served president of that organization from 1932 1936, and again from 1940 to 1948. He is o the founder of the legal journals *Juicio al* and *Derecho de Autor*. In addition to se journals Ambassador García has conbuted numerous articles to magazines d newspapers of Argentina. As an author- on civil law he has published a number books, among them: *Fundamentos de ierno*, *Nueva escuela de civismo*, *Derechos autor*, and a four volume work, *Juicio l.*

n 1955 Dr. García was appointed Asant Professor of Trial Law at the Nanal University of La Plata, Argentina. has also represented his country at many ional and international conferences and is a member of the International Bar Association, the Inter-American Bar Association, the United Nations League of Lawyers, and the Société de Législation Comparée of Paris.

Activities of the Council during the first four months of 1956[1]

MEETING COMMEMORATING THE CONGRESS OF PANAMA.—The year 1956 marks the 130th anniversary of the Congress convoked by Simón Bolívar, and held in Panama in 1826—one of the earliest expressions of the Pan-American movement.

To commemorate this great event, Ambassador Luis Quintanilla, Representative of Mexico, made a proposal in the General Committee that the Council hold a special meeting in Panama City. The proposal suggested that the commemorative meeting be held on either June 22 or July 15, 1956, the opening and closing dates of the Congress of 1826. The members of the General Committee approved the proposal unanimously. Later the committee, through its chairman, transmitted the suggestion to the Representative of Panama on the Council, who reported that his Government would be happy to have the Council meet in Panama City.

At the meeting held April 2, 1956, the Council considered a report[2] of the General Committee on the proposed commemorative meeting and approved the following resolution:

> The Council of the Organization of American States,
>
> HAVING SEEN:
>
> The report on the holding of a special meeting

[1] *See also* the sections on the Organs of the Council, The Pan American Union, and Inter-American Specialized Conferences, as well as the section entitled "Situation between Costa Rica and Nicaragua".

[2] Document C-i-299-E (Rev. 1), Pan American Union, April 2, 1956.

of the Council in Panama City, as tribute to the 1826 Congress of Panama on the occasion of the 130th anniversary of that meeting, submitted by the General Committee,

RESOLVES:

1. To request the Representatives on the Council to inform their respective governments of the proposal that a special meeting of the Council be held in Panama, so that they may submit their opinions with respect to this matter.

2. To fix the regular meeting of May 2, 1956, as the one at which a final decision on this matter will be taken.

AMERICAN BOOK FESTIVAL.—At the special meeting held April 2, 1956, the Council of the Organization approved the following resolution on the American Book Festival to be held in Caracas, Venezuela, in November 1956:

WHEREAS:

The American Book Festival that is being prepared by the Central University of Venezuela with the support and cooperation of the Pan American Union, through its Department of Cultural Affairs, and is to be held in Caracas next November, will endeavor to bring together in a single exhibit copies of books and magazines on science, art, technical subjects, philosophy, literature, education, and history published in this Hemisphere from 1900 to the present time and also books on American subjects and translations of books by American authors;

In addition to this exhibit, which is to be held in University City in Caracas, there will be round table meetings to which American authors, editors, and librarians will be invited for the purpose of studying problems connected with the creation, publication, distribution, and advertising of American books;

It is also planned to round out the Festival with photographs, documents, objects, etc., that present a panorama of the history of printin America from its beginning to the present t with an exhibit of modern systems for the re duction and protection of books and with ch showing the development of publishing America; with special rooms in which there wi exhibits showing the history of writing, of p ing, of the evolution of the map of the Hemisph and the iconographic history of the great b ographers of the Hemisphere;

This Festival will be of interest to all Am because of its nature, its significance, and scope, as it will show what is being thought done in book creation and publication in Hemisphere; and

This Festival could serve as a source of couragement for the holding of similar festi in subsequent years in the other countries of Hemisphere,

The Council of the Organization of Amer States

RESOLVES:

1. To express its keen pleasure in the fact the Pan American Union is sponsoring and operating in this first American Book Fest that is being organized by the Central Univer of Venezuela.

2. To request the Secretary General of Organization of American States to arrange the Department of Cultural Affairs and the O of Public Relations of the Pan American U to give special attention to the Festival and vide the Central University of Venezuela with advice and technical aid that is needed to make Festival as successful as possible.

VISIT OF THE BRAZILIAN PRESIDE ELECT.—The Council held a special meet on January 7, 1956, in honor of Dr. Juscel Kubitschek, President-elect of Brazil.

Organs of the Council

er-American Economic and Social Council[1]

'REPARATIONS FOR THE ECONOMIC CON-RENCE OF THE ORGANIZATION OF AMERI-N STATES.—The Ninth International Con-ence of American States, held in Bogotá, lombia, in 1948, in its Resolution VIII[2] eed to convoke an Economic Conference the Organization of American States to udy the more immediate problems facing economies of the American States and ir participation in joint plans of economic ansion. . . ."

n order that the Economic Conference ve proper significance it was recommended the same resolution that the member tes of the Organization be represented by ministers of finance, development, or nomy of their respective governments, by other responsible leaders of the eco-nic life of their countries."

The resolution provided that the Inter-erican Economic and Social Council opose the appropriate topics for the nda of the above-mentioned Conference" l that it was to be held in Buenos Aires, uring the last quarter of 1948, on a date to determined by the [said] Council." Re-ding the date it was added that the ncil could, "for reasons of extreme im-tance only, postpone the convocation of Conference until the first quarter of 9."

t was not possible to hold the Conference hin the period cited. In view of this, the nth Inter-American Conference stated, in olution LXVI, calling for a "meeting of nisters of Finance or Economy . . . , which will be the Fourth Extraordinary Meeting of the Inter-American Economic and Social Council", that the latter meeting would facilitate the holding of the Economic Conference.

When the Meeting of Ministers of Finance or Economy was held (Rio de Janeiro, November 1954), the chiefs of the delegations recommended that an inter-American economic conference be held within the next two years, in Buenos Aires, whether as another Extraordinary Meeting of the Economic and Social Council or as the Conference proposed in Resolution VIII of Bogotá.

On November 28, 1955, the Inter-American Economic and Social Council established a new standing committee with the provisional title "Committee on Economic Meetings" (later changed to "Committee on Preparations for Economic and Social Meetings") and included among its functions that of attending to matters regarding preparations for the Economic Conference of the OAS.

The Committee on Preparations for Economic and Social Meetings submitted to the Council a provisional list of topics for the Economic Conference. The Council considered this list at its meetings of March 8 and 20 and drew up a draft agenda, which it transmitted to the governments of the member states by means of Resolution 8/56, the text of which is printed below:

WHEREAS:

It is the duty of the Council, pursuant to Resolution VIII (2) of the Ninth International Conference of American States, to propose the appropriate topics for the agenda of the Economic Conference of the Organization of American States that is to be held in Buenos Aires; and

It is the responsibility of this Council, in accordance with the provision of Article 94 of the

[1] Resolutions 1/56, 2/56, and 7/56 through 17/56 of this Coun-*ee also* Resolutions 3/56 through 6/56, in the section entitled r-American Specialized Conferences".

[2] For the complete text of this resolution see *Annals*, Vol. I, l, p. 116.

Charter, to prepare the agenda of the aforesaid Conference,

The Inter-American Economic and Social Council

RESOLVES:

To transmit to the governments of the member states the attached draft agenda of the Economic Conference of the Organization of American States, which is to be held in Buenos Aires, as provided by Resolution VIII of the Ninth International Conference of American States, and request that they make their observations thereon prior to April 30, 1956.

The draft agenda transmitted to the governments is as follows:

I. General Economic Agreement
II. Technical Cooperation
  A. Technical Cooperation Program of the Organization of American States
  B. Other activities of technical cooperation in relation to the present needs of Latin America
III. Inter-American Economic Cooperation
  A. The financing of economic development
  B. Foreign trade
    1. Terms of trade
    2. Problems of basic products
    3. Agricultural and mineral surpluses
    4. The promotion of inter-American trade
IV. Transportation
  Cooperation in the matter of developing and coordinating inter-American transportation systems

Since the Economic Conference was not held during the period set by the Bogotá resolution, the Economic and Social Council considered that its authority to set the opening date had expired and that, consequently, the date should be set by the Council of the OAS, in conformity with the standards governing such matters.

With this in mind, the Economic and Social Council, in its Resolution 13/56, approved April 3, 1956, informed the Council of the Organization that it could prepare the basic documentation and make the other preparations for the Conference by July 31, 1956, so that the Conference could be held sometime after August 31, 1956, on a date to be set by the Council of the Organi tion, in consultation with the Argent Government.

Resolution 13/56 reads as follows:

WHEREAS:

In accordance with Chapter V, paragraph C the *Standards for the Exercise of the Authorit the Council with Respect to Specialized Conferen* approved by the Council of the Organization April 21, 1949, that Council determines the dat Specialized Conferences in consultation with government of the host country;

It is, therefore, the responsibility of the Co cil of the Organization to determine, in con tation with the government of the Republic Argentina, the date on which the Economic C ference of the Organization of American Sta referred to in Resolution VIII of the Ninth In national Conference of American States, is to o in Buenos Aires;

The Tenth Inter-American Conference deci that the Meeting of Ministers of Finance Economy as the Fourth Extraordinary Meetin the Inter-American Economic and Social Cou would facilitate the aforesaid Economic Con ence;

At the above-mentioned Extraordinary M ing, which took place in Rio de Janeiro in Nov ber 1954, it was recommended that an econo meeting be held in Buenos Aires within two ye and

It is evident from the study of this matter m by the Committee on Preparations for Econo and Social Meetings and also from the informa submitted by the Council Secretariat that basic documents needed for consideration of topics included in the draft agenda for this C ference, which has already been submitted to governments for consideration in accordance w Article 94 of the Charter, can be presented by J 31, 1956,

The Inter-American Economic and So Council

RESOLVES:

To inform the Council of the Organization t it will be possible for the Inter-American E nomic and Social Council and its Secretariat prepare the basic documents and make the ne sary arrangements to enable the Economic C ference of the Organization of American Sta referred to in Resolution VIII of the Ninth In national Conference of American States, to be h on any date after August 31, 1956, designated the Council of the Organization of Ameri

ates in consultation with the government of the st country.

STUDY ON THE INTERNATIONAL COFFEE TUATION.—At its Fourth Extraordinary eeting, held in Rio de Janeiro in 1954, the ter-American Economic and Social Coun- approved Resolution 34/54[3], which pro- ded that its Special Committee on Coffee ould conduct, through a subcommittee, a udy on the world coffee situation and the ssible prospects for the future. The resolu- on added: "If this study should show the ssibility of adopting measures of inter- tional cooperation capable of appreciably ducing the range of fluctuations in the ice of coffee and keeping them within limits tisfactory for producers and consumers, e Special Committee [Subcommittee] shall epare draft texts suitable for attaining at objective, to be submitted for con- deration to the member countries affected the problem."

The Subcommittee of the Special Com- ittee on Coffee was installed on January , 1955, composed of delegates of Brazil, olombia, Nicaragua, and the United ates. With the participation of other in- rested countries, members of the OAS, and e aid of the Pan American Coffee Bureau d the American Coffee Growers' Federa- n, a study was made of world coffee supply d demand and its future prospects. The bcommittee also investigated the influence coffee exportation on the balance of pay- nts, monetary reserves, and investments the producing countries, and on inter- nerican trade.

On December 29, 1955, the subcommittee omitted a confidential report which in- ded various conclusions on the points idied and presented bases for the formu- ion of a draft international agreement to luce the fluctuations in coffee prices.

The Economic and Social Council re- ceived this report at its meeting of January 4, 1956, and, after discussing it in executive session, approved a resolution (1/56) transmitting it to the governments of the member states with the request that they express their opinions prior to February 29, 1956. The resolution reads as follows:

> The Inter-American Economic and Social Council,
>
> HAVING RECEIVED from the Special Committee on Coffee the report prepared by its subcommittee (ES-Sc. Café-Doc. 1/55), dated December 29, 1955, pursuant to Resolution 34/54 of the Meeting of Ministers of Finance or Economy as the Fourth Extraordinary Meeting of the Inter-American Economic and Social Council, and in order that the governments may take cognizance of the said report and give it the urgent consideration required,
>
> RESOLVES:
>
> To transmit to the governments of the member states, through their representatives, the report prepared by the subcommittee of the Special Committee on Coffee (ES-Sc. Café-Doc. 1/55), dated December 29, 1955, and also the note of the subcommittee in transmitting the report to the committee, with the request that, before February 29, 1956, they express their points of view with respect to the conclusions of the aforesaid report, and state whether they consider it advisable for a draft agreement to be prepared on the bases outlined therein.

At the meeting of April 9, 1956, the Council took note of the points of view expressed by 18 of the governments, the majority of which were in favor of the preparation of a draft agreement. In view of this, the Council referred the matter to the Special Committee on Coffee to prepare one or more drafts of an international coffee agreement, bearing in mind the points of view expressed by the governments.

PROGRAM OF TECHNICAL COOPERATION. *Financing of the Program.*—At its meeting of March 8, 1956, the Inter-American Economic and Social Council considered a report, dated February 8, 1956, of the Committee on Technical Cooperation concerning the financial situation of the Program of

[3] For the full text of the resolution see *Annals*, Vol. VI, No. 4, 263–64.

Technical Cooperation for the calendar year 1956.

The committee cited a previous report[4] of May 10, 1955, in which it had proposed a new scale of contributions for financing the Program and noted that this proposal had been transmitted to the governments of the member states, by Resolution 13/55, with the request that their opinions on the proposed change be submitted to the Council by August 16, 1955. At the time of the second report only a few of the governments had responded to the request.

The report also noted that the Council, on October 24, 1955, approved the 1956 Program of Technical Cooperation[5] with a budget of $1,613,760.

It further pointed out that on the basis of funds on hand and expected income for 1956, the estimated funds available in 1956 would not exceed $1,589,908. Consequently, the Program would incur a deficit of $23,852. In view of this the Coordinating Committee on Technical Assistance had decided to reduce the budget for the Program to $1,533,072—a reduction of five per cent.

The report concluded with the following suggestions:

11. . . . the committee recommends that the Council:

a. Approve as a temporary measure the action taken by the Coordinating Committee on Technical Assistance to limit expenditures to 95 per cent of the approved budget.

b. Request the Committee on Technical Cooperation to review the fiscal situation of the Program as of May 1, 1956, and report again to the Council.

c. Request the governments of the member states to make known, before June 1, 1956, their observations regarding the plan for financing the Program, which was transmitted to them by Resolution 13/55 of the Council.

After considering the above-mentioned report the Council approved Resolut 7/56, which is printed below:

The Inter-American Economic and So Council,

HAVING SEEN:

The report on the financial status of the 1 Program of Technical Cooperation of the ganization of American States, submitted by Committee on Technical Cooperation (I ES-T-i-1/56 Rev.1),

RESOLVES:

1. To extend to June 1, 1956, the period se Resolution 13/55, for the purpose of receiving opinions of the governments on the method financing and scale of contributions for the P gram of Technical Cooperation.

2. To approve the afore-mentioned report the Committee on Technical Cooperation.

3. To transmit the aforesaid report to the g ernments of the member states through t representatives on the Council and to invite attention of the governments particularly to recommendation contained in paragraph 11.c the report.

Extension of Project 26.—At the meet held April 24, 1956, the Inter-Americ Economic and Social Council considered report of the Committee on Techni Cooperation concerning the possibility extending the term of Project 26, the Int American Rural Normal School, which is close at the end of 1957. Appended to report was an excerpt from the minutes the committee's meeting of December 1955, at which the committee considered request from the Pan American Union for opinion on the establishment of a jo OAS-UNESCO project to increase the teach personnel of Project 26 and admit a grea number of countries to the Center.

The committee discussed the proposal some detail and expressed general agreeme with the action taken by the Pan Americ Union to obtain the cooperation of UNES in the operation of the project through 19

The report of the Committee on Techni Cooperation also cited Chapter IV of Do ment 4, prepared for use at the Second Int American Meeting of Ministers of Edu

[4] For a more detailed discussion of this report see, *Annals*, Vol. VII, No. 3, pp. 194-95.

[5] The 1956 Program and its itemized budget appear in *Annals*, Vol. VII, No. 4, pp. 258-61.

n, as it related to the extension of Project

The Council took note of the various cuments and the draft resolution sub-tted by the committee, which it adopted h some modifications. The resolution proved (17/56) reads as follows:

The Inter-American Economic and Social uncil,

KING INTO ACCOUNT:

The preliminary study made on December 28, 5, by the Committee on Technical Cooperation response to the request made by the Pan Ameri-Union for an opinion on a proposed agreement ween the Organization of American States and United Nations Educational, Scientific and ltural Organization that might involve a con-uation of Project 26 of the Program of Technical operation, the Inter-American Rural Normal hool, as set forth in the pertinent paragraphs of cument ES-T-45/55, Appendix A; and

NSIDERING:

That Document No. 4 of the Second Inter-erican Meeting of Ministers of Education refers the possibility of extending the duration of the er-American Rural Normal School,

SOLVES:

1. To transmit the above-mentioned documents the governments of the member states through ir representatives on the Inter-American Eco-nic and Social Council and call their attention he resolution of April 10, 1950, on the Program Technical Cooperation of the Organization of erican States, insofar as it relates to Topic II he Agenda of the Second Inter-American Meet-of Ministers of Education.

2. To request the Secretary General of the anization of American States to transmit this olution and the relevant documents to the retary General of the Second Inter-American eting of Ministers of Education as information onnection with Topic II of the Agenda of that eting.

DRAFT AGENDA FOR THE FIRST INTER-ERICAN TECHNICAL MEETING ON HOUS-AND PLANNING.—To implement the ommendations contained in Resolution XV of the Tenth Inter-American Confer-e, the Inter-American Economic and ial Council, through its Committee on ial Cooperation, undertook a study on the matters related to the holding of an inter-American meeting on housing and planning activities. At its meeting of April 12, 1956, the Council considered a report of the Committee on Social Cooperation containing suggestions and a draft agenda for such a meeting.

The Council then approved the following resolution (15/56):

WHEREAS:

Resolution XXXV (3) of the Tenth Inter-American Conference provides for the convocation by the Inter-American Economic and Social Council, at intervals of not more than two years, of meetings of housing-and-planning experts designated by the respective governments, to orient them in suitable activities in this field;

The work program of the Inter-American Economic and Social Council, approved at the 1955 Special Annual Meeting, recommends that the necessary steps be taken for the holding, during this fiscal year, of a meeting of experts on housing and planning;

It is advisable that the directors, or persons in charge, of official programs and agencies for housing of social interest participate in this meeting of experts,

The Inter-American Economic and Social Council

RESOLVES:

1. To convoke the first meeting of experts on housing and planning, to be held in 1956 and called "First Inter-American Technical Meeting on Housing and Planning", the seat and date of which shall be determined by the Inter-American Economic and Social Council after the offers of the governments of the member states have been studied.

2. To transmit the attached draft agenda to the governments of the member states with the request that their observations thereon be forwarded to reach the Council prior to June 15, 1956.

3. To request the Executive Committee to study the offers made by such of the governments of the member states as express an interest in having their countries serve as the seat of this meeting and, in due time, to present to the Council a report on this matter.

The draft agenda referred to in the above resolution reads as follows:

I. Activities of official agencies in national housing-and-planning programs

1. Government policy and the housing problem
2. Coordination of government activities with those of private enterprise
3. Evaluation of needs, and preparation of programs for housing of social interest
4. Design and construction
5. National financing
6. Social aspects
7. Housing in community development programs
8. Administrative aspects
9. Technical research and training

II. Inter-American activities, coordination, and technical cooperation in the field of housing and planning, in accordance with the terms of Resolution XXXV of the Tenth Inter-American Conference

1. Nature and purposes of a program of inter-American activities
2. Coordination and consultation between the organs of the Organization of American States and other institutions
3. Organization and seat of the second meeting

REPORT ON THE POSSIBILITY OF ESTABLISHING AN INTER-AMERICAN OCEANOGRAPHIC INSTITUTE.—The Tenth Inter-American Conference in its Resolution LXXXIV recommended to the Council of the Organization of American States "the study of the possibility of establishing in the Galápagos Islands, in agreement with the Government of Ecuador, an Inter-American Oceanographic Institute which, in collaboration with other specialized organizations, shall give preferential attention to scientific research in oceanography in its several fields (geological, historical, static, dynamic, biological, and economic) with a view to obtaining, through the cooperation of all the Member States, a better understanding and utilization of the natural resources of oceanic waters, submerged strata, and the subsoil."

On June 2, 1954, the Committee on Inter-American Organizations, undertaking to study this matter for the Council of the Organization, requested the opinion of the Inter-American Economic and Social Council on "the technical aspects regarding the possibility and desirability of establishin the Oceanographic Institute.

The request of the Committee on Int American Organizations was considered fi by the Committee on Economic Cooperati of the Economic and Social Council, whi declared, at the meeting held July 26, 19 that it felt the establishment of the Institu was possible and named a working group make recommendations on the followi points: organization and field of action the Institute; its approximate cost; instit tions which should collaborate with it; a collaboration which should be request from the Government of Ecuador.

The working group submitted a repo dated February 21, 1956, which contain the following observations and conclusion

. . . . . .

SCOPE OF THE STUDY

3. . . . on the basis of the discussions that to place during meetings of the Committee, working group took it for granted that the est lishment of the Inter-American Oceanograp Institute was deemed desirable. The group the fore focused its attention on the question of possibility of establishing the Institute. Nev theless, it felt that certain aspects of the questi of desirability should be cited in support of relat aspects of the question of the possibility.

GENERAL CONSIDERATIONS

4. In view of the foregoing, the working gro believes it advisable to present the following g eral considerations as an introduction to t report.

5. In the field of oceanography and the study its problems, international cooperation by countries concerned is, for obvious reasons, necessity. This is especially true of America whe because of the size of its oceans and the complex of the questions to be settled, many of which tr scend the limits of national boundaries, suita cooperation and the concentration of effort a resources is particularly advisable if adequate a useful research is to be carried out.

6. A review of the status of American ocea graphic organizations and activities readily sho that only a small number of Latin Americ countries have the facilities, which are in all ca

ited, for operating in any of the many branches oceanography. Also, technical experts point out t as a general rule the problems involved are mmon to several countries, at the least. As a ılt, methods of study are not limited to certain ntries alone and can be very extensively lied.

. The fact that there are so few oceanogra-rs available in the Latin American republics confirms the need of fostering the training of cialists in this field by means of a project such hat envisaged in connection with the establish-nt of the Inter-American Oceanographic Insti-e.

. There is no doubt of the fact that all coun-s will derive positive benefit in their exploita-n and conservation of the resources of the sea if re is fuller utilization of such resources and ter understanding of questions relating to the ans. No one is unaware of the importance of anography to present-day modern technical elopment. Its importance looms even larger if, the one hand, we consider the fact that the re-rces of the waters of the sea and of the strata merged under the sea have not, in spite of ir vastness, begun to be explored, much less to exploited economically; and if, on the other d, we consider the benefits that would accrue he American countries from well-planned and l-executed geological, physical, biological, and mical research. For example, it should be nted out that, according to the estimates of ny technical experts, the wealth and resources he land seem daily to be growing less adequate taking care of human needs. However, the ex-tion of the resources of the sea is becoming e economical as oceanographic techniques be-ie more advanced and as more oceanographic rmation is developed throughout the world. ing into consideration the vastness and po-iality of the areas of production and other ors such as accessibility, transportation, and kets, certain food requirements could be met e economically by extracting foodstuffs from sea. This applies particularly to most Latin erican countries, especially those whose ples depend upon the utilization of fish or other er living or inorganic resources extracted from sea or from the sea-bed.

. To sustain the possibility of establishing the r-American Oceanographic Institute, a rea-ble estimate of its initial cost, taking into sideration the great size of the institution that eing planned, its functions, and its field of vity, is necessary.

10. However, the working group cannot present an approximate estimate of the initial cost for the construction of the buildings necessary for the Institute to begin its operations. By and large, the group believes, however, that to begin with, the sum of $1,000,000 will be needed to meet the cost of constructing the buildings, purchasing the equipment, and paying the expenses of organization.

11. This estimate is based on requirements in terms of laboratories, offices, lodgings, and other buildings needed for a staff (scientific, administrative, and clerical) of 30 employees and their families.

12. Incidentally, the Representative of Ecuador on the Inter-American Economic and Social Council, who is one of the members of the working group, has reported that his government is prepared to cooperate by providing the services of the Ecuadorean Navy for the transportation of the building materials and equipment required for the construction and operation of the Institute.

13. With the scientific, administrative, and clerical staff referred to in paragraph 11 above in mind, the working group has also estimated, in general terms, that an initial annual budget of $300,000 to $350,000 (or an amount more or less equal to that allocated to several similar organizations functioning in the United States) would be required for the maintenance of the Institute.

Organization and Field of Activity

14. Of course, the Institute would, in any case, have to meet the above-mentioned fundamental conditions if it were to achieve its basic objectives. From available technical information received it is evident that much very valuable research could be carried out with limited equipment and that, considering the vastness of the unexplored areas in America, any effort on a modest scale with well-laid plans and a definite objective in mind would fill the serious gap in oceanographic information of interest to the Latin American countries. Experts believe that it is possible for one competent scientist, working alone with little gear and perhaps a small craft, to learn more than could be learned in carrying out an elaborate and ill-conceived plan in which more expensive equipment is used. They estimate, for example, that adequate and acceptable oceanographic information, based on meticulous observation, can be obtained on a more modest scale from small craft in shallow water with the following minimal equipment: an echo-sounder to determine the depth; a sextant and a good chronometer for navigation; a bathythermographer for obtaining

subsurface temperatures; samplers for learning about the type of bottom; and small dredges, trawls, and plankton nets for biological collecting. In deeper water with a larger vessel, some sort of winch with light wire must be added for lowering reversing thermometers, both protected and unprotected, water bottles for obtaining routine subsurface water samples, and current meters for determining the velocity of oceanic currents, as well as a winch with heavier wire for lowering nets and trawls.

15. Today hydrographic and oceanographic surveys employ techniques used in modern naval warfare and available to the majority of Latin American countries. Thus, according to the information provided by specialists, at a small additional cost, and with only slight delay in the schedule for charting an area, a valuable program of oceanographic studies may be added as a supplement to hydrographic surveys made by naval vessels. A vessel engaged in hydrographic surveying has the further advantage of remaining in one locality for a sufficient period of time to make repeated observations. Therefore, through the cooperation of the American countries and without any greater expenditure of funds on their part, substantial aid could be provided to the Oceanographic Institute that would enable it to function on a much wider scale. It would be very helpful, for example, if national naval authorities decided that, as part of their normal training and study program, one of their ships should carry out joint research with the Oceanographic Institute on general matters of common interest.

16. The most important aspects of matters handled by the Institute would be: planning of ship operations for protection and salvage; determination of propagation conditions for underwater sound; routing of ships to take advantage of wind velocity and sea conditions; prediction and location of icebergs and sea ice; coastal engineering; design of shore-side structures, piers, and breakwaters; disposal of sewage and industrial and atomic wastes in order to prevent the pollution of beaches and bays and to minimize the destruction of sea birds, fish, and marine invertebrates. *Fisheries:* location and management of fisheries; utilization of sponges, shells, molluscs, and other products of economic value; location and determination of productivity of marine algae yielding agar; harvesting of kelps yielding alginic acid useful in foodstuffs and in the textile, paper, and other industries. *Weather:* short-term and long-range prediction of rainfall, hurricanes and severe storms, cloudiness and fog, air and sea temperatures, Arctic and Antarctic ice lim detection of storms in the open ocean by wave microseism measurements. *Communications:* cation of submarine cables and determinatio surrounding water temperatures; detection communication by underwater sound; locatio fish schools; sofar method of locating survivo sea. *Power production:* tidal power; power f wave energy; power from heat differences betv deep and surface waters.

17. There are several large oceanographic l ratories in North America and Europe that c furnish very useful basic information for regi and local studies. By the same token, the In American Oceanographic Institute would be to perform the very useful task of serving as search center to receive the observations studies carried out by such laboratories anc national institutions and analyze them to de mine the standards and practices that shoul applied in the study and solution of the partic problems of the American region.

18. Generally speaking, the activities of Institute would cover the following, among ot fields: promotion of the exploration, developm utilization, and conservation of marine resour review and study of regional needs to deter how they can be satisfied, making appropr recommendations in each instance; proposa specific programs in fields in which two or r countries are interested and help to such coun to enable them to make the necessary arra ments for introducing the suggested recomme tions and for carrying them out; aid in the inst tion of effective international cooperation provide for the use of boats, laboratories, other facilities; aid in the training of the techn staff required by the various member st arrangements for the exchange of knowledge information by correspondence, through pub tions and bibliographies, and by means of sc tific meetings; establishment, continuous rev and improvement of research techniques standards; provision of technical advisory serv to agencies of member states and maintenanc close relations with other international inst tions operating in the same field.

Institutions that Could Cooperate

19. The Institute will develop and be effec to the extent that it cooperates with other sim organizations. By cooperating with governme and private institutions, it will be able to re equal, or greater, service at less cost. The Insti would have to cultivate relations with special

ganizations functioning in other parts of the rld and with institutions of this hemisphere in rticular.

20. The Institute will render real service, par- ularly in connection with the exploration of the tural resources of the waters of the sea and of e submerged strata and the means of exploiting em. This will be of economic benefit, especially those countries (most of the American coun- es) whose coastal populations depend upon the a as a source of sustenance. It would be ad- sable, therefore, for agreements to be concluded th the United Nations Food and Agriculture ganization and Economic Commission for Latin nerica whereby these two organizations, which al with problems affecting the economic and cial life of America, will be able to provide posi- e economic and technical cooperation so that e Inter-American Oceanographic Institute on e Galápagos Islands may be established and nction in a way that will be most desirable and vantageous for the countries of this hemisphere.

Conclusions

21. The working party feels that the observa- ns, considerations, and estimates presented in e preceding paragraphs justify the decision of e Committee on Economic Cooperation of the ter-American Economic and Social Council, ken at its meeting of July 26, 1955, to the effect at, if possible, the Inter-American Oceano- aphic Institute mentioned in Resolution LXXXIV the Tenth Inter-American Conference be estab- hed on the Galápagos Islands of Ecuador.

Reservation of Brazil

The Representative of Brazil, one of the signers this report, makes the reservation that, in ac- dance with the position assumed by his delega- n at the July 26, 1955, meeting of the Committee Economic Cooperation, in his opinion the re- nsibility for deciding whether it is possible to ablish the Inter-American Oceanographic In- tute falls within the sphere of competence of Council of the Organization.

Ronaldo Costa
Brazil
Julio Prado
Ecuador
Armando C. Amador
Mexico

shington, D. C., February 21, 1956

The opinion of the working group was proved by the Committee on Economic Cooperation on February 28, 1956, and transmitted to the Economic and Social Council together with the committee's report of the same date.

At the meeting of the Economic and Social Council held March 27, 1956, the Council approved the following resolution (11/56) on this matter:

The Inter-American Economic and Social Council,

Considering:

That the Committee on Inter-American Organizations of the Council of the Organization of American States on June 2, 1954, requested the opinion of the Inter-American Economic and Social Council on the possibility, from the technical point of view, of establishing an Inter-American Oceanographic Institute in the Galápagos Islands, Ecuador, referred to in Resolution LXXXIV of the Tenth Inter-American Conference; and

Having seen:

The report on this matter, dated February 28, 1956, presented by the Committee on Economic Cooperation,

Resolves:

To approve the aforesaid report presented by the Committee on Economic Cooperation and transmit it to the Committee on Inter-American Organizations of the Council of the Organization in response to its request for an opinion on this matter.

Cancellation of an Increase in Maritime Freight Rates.—On December 7, 1955, the delegates of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua presented a joint statement[6] to the Council of the Oas expressing their concern at a 20 per cent increase in maritime freight rates to the Central American Pacific ports proposed by the Association of West India Transatlantic Steamship Lines. The Council took note of the problem and approved a resolution[7] requesting the Inter-American Economic and Social Council to study the matter and take whatever steps it considered necessary.

[6] *Annals*, Vol. VII, No. 4, pp. 240–41.
[7] *Ibid*, p. 241.

On December 12, the Chairman of I-A Ecosoc referred the matter to the Executive Committee. In the course of its work on this problem the committee was informed that the steamship association had canceled the increase some 40 days before it was to expire. Consequently, at the meeting held April 12, 1956, the Executive Committee submitted a report[8] to the Economic and Social Council in which it informed the Council that in view of the cancellation the committee considered the matter should be closed. The Council approved the following resolution (14/56), unanimously:

WHEREAS:

On December 7, 1955, the Council of the Organization of American States approved a resolution on the subject of the 20 per cent increase in maritime freight rates to Central American Pacific ports agreed upon on October 7, 1955, by the Association of West India Transatlantic Steamship Lines; and

The Executive Committee of the Inter-American Economic and Social Council has presented a report, dated March 26, 1956, in which it is stated that the above-mentioned increase in freight rates was canceled by the association itself before the expiration of the period originally set for the agreement to go into effect,

The Inter-American Economic and Social Council

RESOLVES:

1. To express its satisfaction at the cancellation of the 20 per cent increase in maritime freight rates to Central American Pacific ports agreed upon on October 7, 1955, by the Association of West India Transatlantic Steamship Lines.

2. To transmit this resolution, together with the above-mentioned report of the Executive Committee, to the Council of the Organization of American States.

At its meeting of April 19, 1956, the Council of the OAS noted the above resolution with pleasure and considered the matter closed.

COORDINATION OF INTER-AMERICAN TRANSPORTATION SYSTEMS IN THE EVENT OF AN EMERGENCY.—Since 1951 I-A Ecos has been considering the possibility of co voking an *ad hoc* committee of experts of t American states to prepare recommend tions to the governments on measures to taken, in the event of an emergency, to ensu the most effective equitable utilization of t transportation facilities of the American r publics, particularly maritime and civil a transportation.[9]

The committee has not been convoked some governments have not submitted t data requested, which were to serve as t basis of the study and the recommendatio of the committee. In view of this, the Int American Economic and Social Council a proved resolutions at its Third and Four Extraordinary Meetings reiterating the quest for the afore-mentioned data. T resolution of the Fourth Extraordina Meeting, in addition to urging the gover ments to send the data as soon as possib set the deadline of November 30, 1955, the calling of the *ad hoc* committee. T resolution was transmitted to the gove ments, as a reminder, in the Counc Resolution 8/55, approved March 30, 19

The term set by Resolution 29/54 expi before it was possible to convoke the *ad h* committee, since the information request was not obtained from a sufficient number governments. However, the Secretariat the Council compiled data and informati which were considered sufficient to serve a basis for the work of the committ Therefore, the Council, at the meeting h March 27, 1956, resolved to request t governments to report whether they wish to appoint members to the *ad hoc* committ with the understanding that the Coun would set the place and date for the meeti if it received affirmative replies from at le five of the governments, within the per indicated. The text of the resolution (9/

[8] Document ES-E-i-1/56, Pan American Union, March 26, 1956.

[9] The background of this matter is summarized in *Ann* Vol. VII, No. 2, pp. 102–103.

printed below:

The Inter-American Economic and Social uncil,

ARING IN MIND:

Its Resolution 8/55 of March 30, 1955, on the ordination of inter-American transportation stems in time of emergency, which was approved a result of Resolutions XIX of the Fourth Meet- of Consultation of Ministers of Foreign Af- rs, 37/51 of the Second Extraordinary Meeting the Inter-American Economic and Social uncil, 20/53 of the Third Extraordinary Meeting the Council, and 29/54 of the Meeting of Minis- s of Finance or Economy as the Fourth Extra- linary Meeting of the Economic and Social uncil; and

NSIDERING:

That the last of the above-mentioned resolu- ns states, "The *ad hoc* Committee of qualified hnical experts provided for in Resolution 37/51 all be convoked one year from the date of the esent resolution to study the data available to e Inter-American Economic and Social Council transportation requirements and availabilities d to prepare recommendations to the govern- nts on measures and procedures leading, in the ent of an emergency, to the most effective, uitable utilization of inter-American transpor- ion facilities";

That the period of one year mentioned in Reso- ion 29/54 expired on November 30, 1955, with- t its having been possible to convoke the *ad hoc* mmittee referred to in the aforesaid resolution cause of the fact that a sufficient number of vernments had not at that time sent the sta- tical data that had been requested of them since ly 31, 1952; and

That the Secretariat of the Inter-American onomic and Social Council has in the meantime mpiled such data and information as it deems fficient to serve as a basis for the work of the oresaid *ad hoc* committee, should enough govern- nts agree to appoint qualified technical experts study the data and information with a view to eparing recommendations to the governments measures and procedures that, in the event of emergency, would lead to the most effective lization possible of inter-American transporta- n facilities,

SOLVES:

1. To request the governments of the member tes of the Organization of American States to port prior to June 1, 1956, through their respec- e representatives on the Inter-American Eco- mic and Social Council, whether they desire to appoint qualified technical experts as members of the *ad hoc* committee referred to in paragraph two of Resolution 29/54 of the Meeting of Ministers of Finance or Economy as the Fourth Extraordinary Meeting of the Inter-American Economic and Social Council.

2. The Council shall determine the place and date of the meeting of the aforesaid *ad hoc* committee, provided that favorable replies have been received from at least five governments by the date mentioned.

Collaboration with Iasi in the Matter of Maritime Statistics.—By virtue of Resolution 30/54 of the Meeting of Ministers of Finance or Economy as the Fourth Extraordinary Meeting of the Inter-American Economic and Social Council, I-A Ecosoc is charged with formulating recommendations for an inter-American program of uniform maritime statistics.[10] The purpose of such a program would be to evaluate the capacity of the maritime transportation facilities of the American countries, with a view to determining cooperative measures to be taken to meet the essential requirements of each country, in an emergency. The resolution provides that the recommendations made by the Council be forwarded to the Inter American Statistical Institute, which should develop the maritime statistics required by the American states.

In accordance with these provisions the Secretariat of the Council prepared a document entitled *The Development of Comparable Maritime Statistics in the American Republics*, containing recommendations on this matter. By means of Resolution 7/55, of March 30, 1955, the Council transmitted the afore-mentioned study to Iasi with the request that it be discussed at the Third Inter-American Statistical Conference (Petrópolis, Brazil, June 1955), and that a report be made to the Council on the degree to which the recommendations would be

[10] The background for this matter appears in *Annals*, Vol. VII, No. 2, pp. 100–102.

acceptable and susceptible of implementation.

On examining this document the Statistical Conference came to the conclusion that it would be necessary to hold a meeting of the American republics to determine if the recommendations contained in it were acceptable and feasible. In its Resolution 17 the Conference agreed:

1. To recommend to the Inter American Statistical Institute (IASI) that it consult the governments of the American states on methods which would aid in the compilation of the statistics envisaged in the program contained in the document *The Development of Comparable Maritime Statistics in the American Republics*. . . .

2. To recommend to IASI that it undertake a study of the existing statistics of maritime transport in the American countries.

3. To recommend that, based on the results of the work enumerated in points 1 and 2 above, and in collaboration with the Statistical Office of the United Nations, IASI carry out the additional studies necessary to an adequate plan of maritime traffic statistics, shipping fleet statistics, and port statistics.

On December 13, 1955, the Secretary General of the Institute addressed a note to the Chairman of the Economic and Social Council in which he gave an account of the decisions of the Conference, proposed a procedure for continuing the maritime statistical study and asked if the Economic and Social Council wished to continue using the services of the Institute in this project. The procedure suggested was the following:

a. A preliminary survey, by the Institute in consultation with the Secretariat of I-A Ecosoc, of national statistical offices to ascertain which countries compile maritime statistics, what types of statistics are compiled, which offices are responsible for their collection, when the compilation began, what rules and regulations control the collection, and what official publications present data and contain information as to the methods used;

b. A supplementary survey, by the Institute in consultation with the Secretariat of I-A Ecosoc, of the offices that compile maritime statistics to obtain information on conceptual and operati aspects;

c. An analysis of the results of the above-m tioned surveys, prepared jointly by the Insti and the Secretariat of I-A Ecosoc;

d. Revision, in cases where it is necessary the Secretariat of I-A Ecosoc in consultation w the Institute, of the minimum plan of marit statistics for the American Continent, contai in the document *The Development of Compar Maritime Statistics in the American Republics* the light of the results of the surveys and sup mentary studies conducted;

e. Presentation of a minimum plan, drawn by the Secretariat of I-A Ecosoc through Institute, for the consideration of the Commi on the Improvement of National Statis (COINS), composed of statistical directors of countries of the Hemisphere, to examine the po bility of immediate application, maintaining c parability with previous data;

f. Examination of observations made by Co by the Secretariat of I-A Ecosoc in collaborat with the Institute, and preparation of a fi minimum plan to be presented to I-A Ecosoc;

g. Recommendation, by I-A Ecosoc, to governments of the member states of the minim plan of maritime statistics, methods to be adopt and requirements to be met; and

h. Supplementary action, on the part of Institute in consultation with the Secretariat I-A Ecosoc, for the clarification of problems wh arise in the application of the established ru examination of inconsistencies, and other possi aspects of the statistical plan.

The Council accepted this proposal March 27, 1956, through its Resolut 10/56, which reads as follows:

WHEREAS:

It has already been pointed out, in Resolut 30/54, that it is important for the American sta to have available accurate statistics that w enable them to evaluate the actual capacity their means of maritime transportation;

To that end, this Council forwarded to t Inter American Statistical Institute, in acco ance with Resolution 7/55, the document prepa by the Secretariat entitled *The Development Comparable Maritime Statistics in the Americ Republics*, outlining the minimum requireme for the establishment of uniform and comparal maritime statistics in the American republics, a the Council requested that it be advised by t

ıstitute, after the document had been discussed
; the Third Inter-American Statistical Confer-
ıce, "as to the degree to which the respective
commendations are acceptable and susceptible
implementation";

The Institute feels that, in order to conclude
ccessfully the work that has been started and
rnish the information requested, it is necessary
r certain measures to be adopted, which, in
plication, would require more extensive cooper-
ion on the part of the Inter American Statistical
ıstitute;

The Inter American Statistical Institute has
iterated its desire to collaborate with all the
eans at its disposal to bring to definite comple-
on and apply the plan for the development of
aritime statistics and has inquired as to whether
e Inter-American Economic and Social Council
sires to continue to use its services in studying
e maritime statistics of the American countries;
ıd

It is desirable that the preliminary formula for
llaboration suggested by the Secretary General
the Inter American Statistical Institute in his
tter of December 13, 1955, be accepted,

The Inter-American Economic and Social
ouncil

ESOLVES:

To authorize its Chairman to reply to the Inter
merican Statistical Institute, accepting the plan
roposed by the Secretary General of that organ-
ation in his letter of December 13, 1955, so that
aximum advantage can be taken of the oppor-
nity for the Secretariat of this Council and the
ıstitute to cooperate to the fullest extent possible
r the purposes set forth in Resolution 30/54 of
e Meeting of Ministers of Finance or Economy
the Fourth Extraordinary Meeting of the Inter-
merican Economic and Social Council.

Representation of the Council at International Meetings.—During the eriod covered by this number, the Inter-merican Economic and Social Council ccepted several invitations to be repre-ented at international meetings.

On January 17, 1956, the Council ap-roved Resolution 2/56, naming its Chair-ıan, Dr. Armando C. Amador, Representa-ve of Mexico, to attend, in the capacity of bserver, the Third Meeting of the Com-ittee on Economic Cooperation of the entral American Isthmus, which took place in Managua, Nicaragua, beginning on January 23, 1956. Also, by its Resolutions 12/56 and 16/56, of March 27 and April 18, respectively, the Council named the same officer to represent it, again as observer, at the Fifteenth Plenary Meeting of the International Cotton Advisory Committee, to begin May 8, 1956, in Washington, D. C., and at the Conference of the American Coffee Growers' Federation (Mexico City, May 27–31, 1956).

Inter-American Council of Jurists

Report on the Third Meeting of the Council.[11]—The Inter-American Council of Jurists held its Third Meeting in Mexico City, from January 17 to February 4, 1956. The results of this assembly are described in its Final Act, which is published below.

Final Act

THIRD MEETING OF THE INTER-AMERICAN COUNCIL OF JURISTS

By virtue of the convocation issued by the Council of the Organization of American States, there met in Mexico City on January 17, 1956, the delegations of the countries listed below in the order of precedence determined by lot at the first plenary session on January 18, 1956, in accordance with Article 7 of the Regulations of the Council:

PANAMA:
H. E. Dr. Carlos Sucre C., Representative
H. E. Dr. Renato Ozores, Alternate Representative
Dr. Ernesto Castillero Pimentel, Adviser

DOMINICAN REPUBLIC:
H. E. Dr. Temístocles Messina, Representative
Dr. Salvador Barinas Tejeda, Secretary

URUGUAY:
H. E. Dr. Gilberto Pratt de María, Representative
Dr. Juan Domingo del Campo, Adviser

CUBA:
H. E. Dr. Francisco García Amador, Representative

[11] The reports on the First and Second Meetings appear in *Annals*, Vol. II, No. 3, pp. 274–90, and Vol. V, No. 2, pp. 148–74, respectively.

H. E. Dr. Pedro M. de la Concepción Portuondo, Alternate Representative
Dr. Francisco Domínguez Compañy, Adviser

PARAGUAY:
H. E. Dr. Mario Mallorquín, Representative

COLOMBIA:
H. E. Dr. Luis A. Flórez, Representative
H. E. Dr. José Joaquín Caicedo Castilla, Alternate Representative
Dr. Antonio Bayona Ortiz, Adviser

BRAZIL:
H. E. Dr. Lineu de Albuquerque Mello, Representative
Dr. George Alvares Maciel, Adviser
Dr. Nestor Luis Fernández Barros dos Santos Lima, Secretary
Dr. Renato Bayma Dénys, Secretary

BOLIVIA:
H. E. Dr. Guillermo Alborta V., Representative

HONDURAS:
H. E. Dr. Humberto López Villamil, Representative
H. E. Dr. Eliseo Pérez Cadalso, Alternate Representative
H. E. Dr. Ramón Valladares h., Alternate Representative

CHILE:
H. E. Dr. Luis David Cruz Ocampo, Representative
H. E. Dr. Luis Melo Lecaros, Alternate Representative
H. E. Dr. Alberto Díaz Alemany, Alternate Representative

ARGENTINA:
H. E. Dr. Isidoro Ruiz Moreno, Representative
H. E. Dr. Roberto Enrique Guyer, Alternate Representative
H. E. Dr. Francisco Carlos de Posada, Alternate Representative

VENEZUELA:
H. E. Dr. Martín Pérez Matos, Representative
H. E. Dr. Ibrahim García, Alternate Representative and General Adviser
H. E. Dr. Gustavo González Eraso, Alternate Representative
H. E. Dr. Jorge Cruz Bajares, Alternate Representative
Dr. Germán Nava Carrillo, Secretary

GUATEMALA:
H. E. Dr. Guillermo Medrano, Representative
H. E. Dr. Gilberto Chacón Pazos, Alterr Representative
H. E. Dr. Francisco Villagrán Kramer, ternate Representative

UNITED STATES:
The Hon. Dr. William Sanders, Represer tive
H. E. Dr. George H. Owen, Alternate Rep sentative
H. E. Dr. David B. Karrick, Alternate Rep sentative
Dr. Marjorie M. Whiteman, Adviser
Mr. William G. Bowdler, Adviser

HAITI:
H. E. Dr. Marc Pierre Louis, Representat

MEXICO:
H. E. Dr. Roberto A. Esteva Ruiz, Rep sentative
H. E. Dr. Pablo Campos Ortiz, Altern Representative
H. E. Dr. Francisco A. Ursúa, Altern Representative
H. E. Dr. Manuel Escobedo, Alternate Rep sentative
H. E. Dr. Antonio Pérez Verdía, Alterna Representative
H. E. Dr. Manuel J. Sierra, Alternate Rep sentative
H. E. Dr. Germán Fernández del Castil Alternate Representative
H. E. Dr. Ernesto Enríquez, Alternate Rep sentative
H. E. Dr. Oscar Treviño Ríos, Alterna Representative
H. E. Dr. Antonio Gómez Robledo, Alterna Representative
H. E. Dr. Jorge Castañeda, Alternate Rep sentative
Dr. Raúl Cervantes Ahumada, Adviser
Dr. José Alvarez del Villar, Adviser
Dr. Emilio Oscar Rabasa, Secretary to t Representative
Dr. Alfonso Herrera Salcedo, Secretary

COSTA RICA:
H. E. Dr. Fernando Fournier Acuña, Rep sentative
H. E. Dr. Gonzalo Solórzano, Alternate Re resentative
Dr. Everardo Gómez, Adviser
Dr. Isaías Murillo, Adviser

ECUADOR:
H. E. Dr. Gonzalo Escudero, Representativ

H. E. Dr. Enrique Ponce y Carbo, Alternate Representative
Dr. Gustavo Ruales Viel, Secretary

SALVADOR:
H. E. Dr. Miguel Rafael Urquía, Representative

U:
H. E. Dr. Alberto Ulloa, Representative
H. E. Dr. Edwin Letts, Alternate Representative
Dr. Alejandro Deustua, Adviser
Dr. César Venegas, Secretary

ARAGUA:
H. E. Dr. Alejandro Montiel Argüello, Representative
H. E. Dr. Alfonso Ortega Urbina, Alternate Representative
Dr. Otto Somarriba Salazar, Adviser

Organization of American States

The Director of the Department of International Law of the Pan American Union, Dr. Charles G. Fenwick, and the Assistant Director of the Department, Dr. Manuel S. Canyes, took part in the work in their respective capacities as Executive Secretary and Assistant Executive Secretary of the Inter-American Council of Jurists. Dr. Mauro Bellegarde Marcondes attended the Meeting as the Secretary of the Inter-American Juridical Committee.

United Nations

During its Seventh Period of Sessions the International Law Commission approved a resolution entitled "Cooperation with Inter-American Bodies", requesting the Secretary-General of the United Nations to authorize the Secretary of the Commission to attend, as an observer, the present meeting of the Council. In accordance with the foregoing resolution, the Secretary of the International Law Commission of the United Nations, Dr. Yuen-Li Liang, attended the meetings in that capacity.

Secretary General

Pursuant to the Statutes, the Government of Mexico appointed Dr. Oscar Rabasa, Minister Plenipotentiary, as Secretary General of the Meeting, and Dr. Francisco Cuevas Cancino, Adviser in the Foreign Service of Mexico, as Assistant Secretary General.

Formal Inaugural Session

His Excellency the President of Mexico, Don Adolfo Ruiz Cortines, in the name of the host Government, formally opened the Third Meeting of the Inter-American Council of Jurists at 11 a.m. on January 17, 1956, in the Auditorium of the Mexican Institute of Social Security. His Excellency Don Luis Padilla Nervo, Secretary of Foreign Affairs, presented the welcoming address. The Representative of Argentina, Dr. Isidoro Ruiz Moreno, replied on behalf of the Chairman of the Second Meeting of the Inter-American Council of Jurists, and in the name of the delegations.

Preparatory Session

The preparatory session of the Third Meeting of the Council was held at 5 p.m. on January 17, 1956, in the Headquarters of the Mexican Institute of Social Security, with the Secretary General as Chairman. At that session various matters of general interest were considered, such as the preliminary consideration of the election of the Chairman and Vice Chairman of the Meeting, the establishment and organization of the committees, and the possible date of closing.

Chairman and Vice Chairman

At the first plenary session, which took place on January 18, Dr. Roberto Esteva Ruiz, Representative of Mexico, and Dr. Alberto Ulloa, Representative of Peru, were elected by acclamation as Chairman and Vice Chairman of the Meeting.

Honorary Chairman

At the first plenary session His Excellency the Secretary of Foreign Affairs of Mexico, Don Luis Padilla Nervo, was elected by acclamation as Honorary Chairman of the Meeting.

Formation of the Committee on Credentials and the Working Committees

At the first plenary session, held on January 18, 1956, it was decided to form a Committee on Credentials, to be composed of the following members: Panama (Ambassador Carlos Sucre C.), Paraguay (Ambassador Mario Mallorquín), and Honduras (Dr. Eliseo Pérez Cadalso).

It was also decided to appoint three working committees, and to assign the different topics of the Agenda to them, as follows:

COMMITTEE I

Chairman: H. E. Dr. Lineu de Albuquerque Mello, Representative of Brazil
Vice Chairman: H. E. Dr. Miguel Rafael Urquía, Representative of El Salvador
Rapporteur: H. E. Dr. Martín Pérez Matos, Representative of Venezuela

Members: All delegations
Secretaries: Dr. Francisco Cuevas Cancino and Dr. Anastasio López Sánchez

Topic 1.a. System of territorial waters and related questions: preparatory study for the Inter-American Specialized Conference provided for in Resolution LXXXIV of the Caracas Conference

Topic 1.b. Reservations to multilateral treaties

COMMITTEE II

Chairman: H. E. Dr. José Joaquín Caicedo Castilla, Alternate Representative of Colombia
Vice Chairman: H. E. Dr. Gilberto Pratt de María, Representative of Uruguay
Rapporteur: H. E. Dr. Manuel J. Sierra, Alternate Representative of Mexico
Members: All delegations
Secretary: Mr. Roberto Rosenzweig Díaz

Topic 1.c. Draft uniform law on international commercial arbitration (Working Group No. 1: Uruguay, Argentina, Venezuela, United States, and Ecuador)

Topic 1.d. Draft convention on extradition (Working Group No. 2: Panama, Colombia, Honduras, Chile, Venezuela, United States, Mexico, Ecuador, and Nicaragua)

Topic 1.e. International cooperation in judicial procedures (Working Group No. 3: Colombia, Brazil, United States, Mexico, and Costa Rica)

COMMITTEE III

Chairman: H. E. Dr. Fernando Fournier Acuña, Representative of Costa Rica
Vice Chairman: H. E. Dr. Isidoro Ruiz Moreno, Representative of Argentina
Rapporteur: Dr. George H. Owen, Alternate Representative of the United States
Members: All delegations
Secretary: Dr. Ismael Moreno Pino

Topic 2.a. Election of the members of the permanent committee

Topic 2.b. Consideration of amendments to the Statutes of the Inter-American Council of Jurists (Working Group No. 1: Brazil, Guatemala, and United States)

Topic 2.c. Amendments to the Regulations of the Inter-American Juridical Committee (Working Group No. 1: Brazil, Guatemala, and United States)

Topic 2.d. Determination of the matters that should be studied by the permanent committee during its new period of meetings:

(1) Possibility of revising Resolution VI[I] the First Meeting of the Inter-Amer[ican] Council of Jurists with respect to the [pro]cedure recommended in Article 3(1)

(2) Principles of international law gov[erning] ing the responsibility of the State

(3) Other matters

Topic 3. Selection of the seat of the Fo[urth] Meeting of the Inter-American Council Jurists

As a result of its deliberations, the Third M[eet]ing of the Inter-American Council of Jurists [ap]proved the following resolutions, declarati[ons] recommendations, tributes, and motions:[12]

I

TRIBUTE TO THE MEXICAN HEROES OF INDEPENDENCE

WHEREAS:

The Third Meeting of this Council is being H[eld] in Mexico, the center of noble and constant effo[rt] in behalf of the liberty of America and the eman[ci]pation of man;

The Mexican heroes in the epic of independe[nce] always relied upon legal formulas as the only gu[ide] capable of shaping the destiny of our peoples;

This firm directive is embodied in that brilli[ant] constitution which was signed under the lead[er]ship of Don José María Morelos y Pavón, [at] Apatzingan in 1814, a document unique in [the] history of our peoples; and

It is the duty of the jurists of America to av[ail] themselves of significant occasions to reiter[ate] their gratitude to those pioneers in the juridi[cal] paths followed by our peoples,

The Inter-American Council of Jurists

RESOLVES:

1. To observe one minute of silence as a trib[ute] to the memory of those renowned Mexican herc[oes]

2. To deposit a floral offering at the tomb [of] those heroes, as a symbol of the gratitude of [the] jurists of America.

II

TRIBUTE TO DR. CARLOS DÁVILA

The Inter-American Council of Jurists

RESOLVES:

To pay a tribute of profound respect to t[he] memory of Dr. Carlos Dávila, eminent Pan Ame[ri]canist, constant defender of the ideals of con[ti]

[12] Resolutions I through VIII, and XVIII were approved [on] February 1, 1956; Resolutions IX through XII on February [1], 1956; and Resolutions XIII through XVII, and XIX on February [1], 1956.

ıtal solidarity and cooperation, who in the charge of his office as Secretary General of the ganization of American States performed a ıarkable task in behalf of the regional system.

III

TRIBUTE TO DR. JOSÉ A. MORA

EREAS:

Dr. José A. Mora, eminent Uruguayan diplomat l jurist, has for many years devoted himself en-ısiastically and effectively to the Pan American vement, distinguishing himself in that respect ring his recent occupancy of the important ce of Chairman of the Council of the Organiza-n of American States; and

Dr. Mora has been elected Secretary General of Organization of American States,

The Inter-American Council of Jurists

SOLVES:

To convey to Dr. José A. Mora its warmest ıgratulations upon his election as Secretary neral of the Organization of American States, l its wishes for the greatest possible success in new post.

IV

NTER-AMERICAN ACADEMY OF COMPARATIVE AND INTERNATIONAL LAW

HEREAS:

Among the functions of the Inter-American uncil of Jurists are those of promoting the de-opment and codification of international law l of studying the possibility of attaining uni-mity in the legislation of the various American ıntries;

The Inter-American Academy of Comparative l International Law, created by the Inter-ıerican Bar Association at its first conference in 1, has as its object to promote studies in com-rative and international law, especially in the ds that are of concern and interest to the ıntries of America;

The Academy has held regular meetings since 5, participated in by distinguished jurists and owship students from the various American ıntries; and

It is desirable to enlarge and promote the ac-ities that the Academy is carrying out in the ove-mentioned disciplines,

The Inter-American Council of Jurists

SOLVES:

To recommend to the Council of the Organiza-n of American States that it study the possi-ty of entering into an agreement or special perative arrangement with the Inter-American Academy of Comparative and International Law, so that the Academy may intensify its work, with reference both to the contracting of professors and to the granting of fellowships to students of the different countries of America.

V

ELECTION OF THE MEMBERS OF THE INTER-AMERICAN JURIDICAL COMMITTEE

WHEREAS:

Article 69 of the Charter of the Organization of American States provides that the selection of the jurists who are to compose the Inter-American Juridical Committee shall be made by the Inter-American Council of Jurists; and

Article 30 of the Statutes of this Council provides for a general election of the members of the Committee at the meeting of the Council [of Jurists] following each Inter-American Conference,

The Inter-American Council of Jurists

RESOLVES:

To elect, from the panels submitted by the nine countries chosen by the Tenth Inter-American Conference in Resolution LII, the following jurists as members of the Inter-American Juridical Committee:

Dr. Ambrosio Alvarez Aybar (Dominican Republic)
Dr. José Joaquín Caicedo Castilla (Colombia)
Dr. Francisco Clementino de San Tiago Dantas (Brazil)
Dr. Luis David Cruz Ocampo (Chile)
Dr. Isidoro Ruiz Moreno (Argentina)
Dr. Víctor Manuel Pérez Perozo (Venezuela)
Dr. George H. Owen (United States)
Dr. Francisco A. Ursúa (Mexico)
Dr. Mariano Ibérico (Peru)

VI

PRINCIPLES OF INTERNATIONAL LAW GOVERNING THE RESPONSIBILITY OF THE STATE

WHEREAS:

The Tenth Inter-American Conference resolved to entrust to the Inter-American Council of Jurists and its permanent committee, the Inter-American Juridical Committee of Rio de Janeiro, the preparation of a study or report on the contribution the American Continent has made to the development and to the codification of the principles of international law that govern the responsibility of the State (Resolution CIV);

The afore-mentioned resolution was adopted in view of the fact that the General Assembly of the United Nations, during its Eighth Session, re-

quested the International Law Commission to proceed to the codification of the principles of international law that govern the responsibility of the State, and the Commission has already undertaken that task; and

It is advisable, pursuant to the resolution of the Inter-American Conference, to prepare the study or report referred to in that resolution, and to gather the background material and to make the preliminary studies of the subject as soon as possible,

The Inter-American Council of Jurists

RESOLVES:

1. To request its permanent committee, the Inter-American Juridical Committee of Rio de Janeiro, to complete as soon as possible the study or report referred to in Resolution CIV of the Tenth Inter-American Conference, so that it may be considered by the Inter-American Council of Jurists at its Fourth Meeting.

2. To ask the Department of International Law of the Pan American Union, which has already gathered certain background material at the request of the Juridical Committee, to make a preliminary study of the subject and submit it to the Committee for the purpose of facilitating its work.

VII

DRAFT CONVENTION ON EXTRADITION[13]

The Inter-American Council of Jurists

RESOLVES:

To transmit to the Council of the Organization of American States the following Draft Convention on Extradition, which has been approved by the Council pursuant to paragraph 2 of Resolution CVII of the Tenth Inter-American Conference:

DEFINITIVE DRAFT CONVENTION ON EXTRADITION

ARTICLE 1. In conformity with the provisions of the present Convention, each contracting State binds itself to surrender to another contracting State, if it is requested to do so, persons who are being prosecuted or who have been convicted by the authorities of the former.

ARTICLE 2. For extradition to be granted, the acts constituting the crime for which the person sought is being prosecuted or has been convicted, disregarding extenuating circumstances and the denomination of the crime, must be punishable by at least one year's imprisonment, under the legislation of both the requesting and requested States, at the time of the offense. If different systems of law prevail in the requested State, the applicable law shall be that of the place where the person sought was at the time he was detained.

ARTICLE 3. Likewise, for extradition to be granted, the acts constituting the crime for which the person sought is being prosecuted or has been convicted must have been committed within the jurisdiction of the requesting State, according to its legislation in force at the time of the offense.

When the crime has been committed outside the territory of the requesting State, the obligation to grant extradition exists only in cases where the requested State exercises jurisdiction, according to its own law, for trying an identical crime committed under the same circumstances in another country.

ARTICLE 4. The request for extradition must be made through the appropriate diplomatic agent, and when no such agent is available, through a consular agent or directly by communication between the governments.

ARTICLE 5. The request for extradition shall be accompanied by the following documents, duly certified in the manner prescribed by the law of the requesting State, and substantiated by such legalizations or other means of authentication as required by the laws of the requested State:

1. When the person has been convicted by the courts of the requesting State, an authenticated copy of the final sentence and of the evidence on which the conviction was based, if it does not appear with the sentence.

2. When involving a person under prosecution, a copy of the order holding him for trial, of the warrant of arrest, or of any other order of equal legal force, as well as evidence that would be sufficient grounds for such decisions according to the laws of the requested State.

3. The text of the applicable legal provisions and of the statute of limitations governing the trial and the punishment.

The request for extradition shall also be accompanied by a description that will permit identification of the person sought.

ARTICLE 6. When the requested State considers that the documents presented are insufficient, it shall grant to the requesting State a period of sixty days within which to correct the deficiencies indicated, before denying the request for extradition on that ground.

ARTICLE 7. There is no obligation to grant extradition:

1. When it has been previously denied for the same offense, on the same grounds, with respect to the same person, or when the person sought

[13] The statements and reservations of the Dominican Republic, Uruguay, the United States, Mexico, Peru, and Nicaragua regarding this resolution appear on pp. 136–37, of this number.

as been set free, as provided in Articles 6 and
0 of the present Convention.

2. When the requested State is competent, ccording to its own laws, to prosecute the per- on whose extradition is sought, for the crime on hich the request is based.

ARTICLE 8. Extradition shall not be granted:

1. When the individual has completed his unishment, or has been granted an amnesty or ardon for the crime for which extradition is ought, in either the requesting or the requested tate.

2. When the trial or the punishment has been arred by prescription, according to the laws of ne requesting or requested State, before the equest for extradition.

3. For essentially military crimes.

4. When the person sought must appear before ny extraordinary or *ad hoc* tribunal of the re- uesting country.

5. When the crimes committed were oc- asioned by and arose out of the free expression f thought.

6. When, as determined by the requested tate, the persons concerned are sought for olitical offenses or for common offenses com- nitted for political ends, or the extradition is ought for predominantly political motives.

The fact that the victim of the punishable act n question performed political functions does ot in itself justify the designation of the offense s political.

An attempt against the life of a Chief of State hall be considered a common crime, for the urposes of this Convention.

ARTICLE 9. Without prejudice to the pertinent of each contracting State, there shall be no igation to grant extradition when the person ght has been sentenced to death in the re- sting State and the legislation of the requested te does not authorize the death penalty, unless h penalty has been commuted by the competent hority of the requesting State.

ARTICLE 10. The nationality of the person ght may not be invoked as a ground for denying radition except when the legislation of the re- sted State prohibits such extradition, or when iprocity does not exist.

In the event that extradition is denied, the re- sted State is pledged to try its national as if crime imputed to him had been committed in own territory.

ARTICLE 11. The requesting State may ask for provisional detention of a person in any man- , based on a specific criminal act, provided that it offers to prepare a formal request for extradition within two months after the detention. After this period has elapsed he shall be set free, and he may not again be detained for the same act, unless a request for extradition is made in accordance with Article 5.

Any liability arising out of the provisional detention of a person rests exclusively on the State that made the request.

ARTICLE 12. When several States request the extradition of a person, preference shall be given to the first formal request.

ARTICLE 13. When the person sought is under prosecution or is serving a sentence in the requested State, his surrender shall be deferred until his trial is ended, if found not guilty, or until the sentence has been served, as the case may be.

ARTICLE 14. A person whose extradition has been granted may be tried in the requesting State only for the criminal acts specified in the corresponding request and not for others committed previously, unless his participation in such acts is discovered afterwards.

ARTICLE 15. The person sought shall have the right to utilize all recourses available to him according to the laws of the requested State.

ARTICLE 16. The surrender of the person sought to the agents of the requesting State shall be carried out in the place where he is being detained, unless there is an agreement to the contrary between the requesting and requested States.

The surrender shall be made with all objects associated with the imputed crime, as well as articles that might serve as evidence thereof, without impairing the application of the laws of the State, and at the same time safeguarding the rights of third persons.

ARTICLE 17. The expenses incurred in transporting the person sought and other extraordinary expenses resulting from the extradition shall be borne by the requesting State.

ARTICLE 18. When it is necessary, in order to surrender a person whose extradition has been granted, to traverse the territory of another contracting State, the latter shall authorize the transit of the extradited person in the custody of the agents of the requesting State, save in cases where problems of public order might arise, without any requirement other than the exhibition of an authentic copy of the order granting the extradition.

ARTICLE 19. When the agents of the requesting State are in the territory of another contracting State to take charge of a person whose extradition has been granted, or to escort him, they shall be

authorized to take custody of him until they reach the requesting State, remaining, however, subject to the territorial jurisdiction where they may be.

Article 20. If the extradition has been granted, the requesting State shall take charge of the person sought within two months, counting from the date when he was placed at its disposal. If it does not do so within that period, the person sought shall be set free.

Article 21. If the person sought freely indicates his acceptance of the extradition requested, the requested State shall immediately place him at the disposal of the requesting State.

Article 22. Notwithstanding the provisions of Articles 7 and 9 of this Convention, the requested State is authorized to grant the extradition requested in the cases to which such provisions refer.

VIII

Draft Uniform Law on Inter-American Commercial Arbitration[14]

Whereas:

The Inter-American Council of Jurists, at its First Meeting, held in Rio de Janeiro in 1950, entrusted the topic "International commercial arbitration" to the Inter-American Juridical Committee to be studied under the title "Uniformity of legislation";

The Inter-American Juridical Committee, on December 21, 1953, submitted an initial draft on the topic for consideration and comment by the respective American republics;

The Inter-American Juridical Committee, on December 15, 1954, submitted a second draft uniform law on international commercial arbitration, which has now been considered by the Inter-American Council of Jurists at its Third Meeting; and

It is hoped that the Draft Uniform Law on Inter-American Commercial Arbitration hereinafter set forth shall, insofar as practicable, be enacted into law by the various American republics in accordance with their constitutional procedures,

The Inter-American Council of Jurists

Resolves:

1. To recommend that, to the extent practicable, the American republics adopt in their legislation, in accordance with their constitutional procedures, the Draft Uniform Law on Inter-American Commercial Arbitration in such form as they consider desirable within their several ju dictions.

2. To request the Secretary General of Organization of American States to urge the spective American republics to give publicit the Draft Uniform Law on Inter-American C mercial Arbitration, in order that it may be g appropriate consideration by the national le lative bodies.

Draft Uniform Law on Inter-American Commercial Arbitration

Article 1. *Validity of the arbitration cla* The arbitration clause in which the parties the bind themselves to submit to decision by a tration all or any differences that may arise tween them in connection with a mercantile ma is valid.

Article 2. *Who can sign the arbitration cla* Only those who have the legal capacity to tract, according to their personal law, and power to release the subject matter of the sub sion, can sign the arbitration clause.

Article 3. *The invalidity of the arbitra clause* and disagreements arising out of its ap cation shall be determined by the law of the p where the contract was entered into. If the par have different domiciles, the governing law s be that of the country of residence of the pa that made the offer. Excepted from the foregc provisions are controversies arising out of manner in which the contractual obligations t are subject to the arbitration clause are be carried out or have been carried out. These con versies shall be decided in accordance with applicable laws of the country in which the c tractual obligations at issue are being carried c or have been carried out.

Article 4. *Effectiveness of the arbitration cla* When one of the parties to an arbitration ag ment begins suit or other legal proceedings, judge before whom the said suit or proceedin pending, shall, if he considers that the mat brought before him should be submitted to ar tration under the said agreement, order the s pension of proceedings until arbitration has ta place in conformity with the agreement, w requested to do so by the other party within period allowed by the law of the forum to pl lack of jurisdiction.

Article 5. *Enforcement of the arbitration cla* Any question between the parties to the agr ment with reference to the existence of a va

[14] The reservations of Argentina regarding this resolution appear on p. 137, of this number.

ıtractual obligation to submit a difference to ›itral decision may be settled by the judge of e place of performance of the contract at the quest of one of the parties, before proceeding th arbitration.

ARTICLE 6. *Who may appoint arbitrators.* Arbi-tors shall be appointed in the manner agreed on by the parties. Their designation may be legated to a third party, who may be a natural a juridical person.

ARTICLE 7. *How the arbitrators shall be ap-inted.* When the parties have not agreed as to e number of arbitrators and the manner of their signation, each of them shall appoint one arbi-tor and those appointed in this manner shall ›ose a third. Parties that represent the same erest shall designate one of the arbitrators.

ARTICLE 8. *Who may be arbitrators.* Arbitrators y be nationals or foreigners, provided they have l legal capacity. If the arbitration is in law, they ıst also be lawyers.

ARTICLE 9. *Who may not be arbitrators.* The fol-ving persons may not be appointed arbitrators:

a. Persons related to each other or to any of the parties within the fourth degree of consanguinity or the second degree of affinity, or who are associates of any of the parties;

b. Anyone who has a direct or indirect financial interest in the controversy or who is or has been a party to a similar one;

c. Anyone who has expressed an opinion with regard to the merits of the case;

d. Anyone who has intervened in the matter as a lawyer, adviser, representative, or expert for any of the parties;

e. Open enemies of one of the parties or of any of the agents or representatives of the parties.

ARTICLE 10. *Filling of vacancies.* If any of the ›itrators does not accept the appointment thin 15 days after being informed of his appoint-nt in writing, another person shall be desig-ted in his stead, in the manner stipulated for pointments.

In case of the incapacitation or death of an arbi-tor after he has been appointed, his successor ıll be appointed in the same manner, if the llenge has been declared valid.

ARTICLE 11. *Judicial intervention in appoint-nt of arbitrators.* If one of the parties fails to point its arbitrator, the party that has already med its arbitrator may ask the judge of the place performance of the contract to request the other rty to appoint its arbitrator within a period of ee days. If this period elapses without the requested party's making the appointment, the judge shall appoint the respective arbitrator.

If the arbitrators have not agreed upon the appointment of another arbitrator within a period of 10 days after the date of acceptance of the appointment, the competent judge shall, at the request of one of the parties, proceed to appoint the respective arbitrator.

The competent judge may likewise, at the request of a party, designate an arbitrator when any arbitrator who should act fails to do so.

ARTICLE 12. *Challenge of arbitrators.* When the agency accepted by the parties to appoint arbitrators is an inter-American arbitration committee that has previously prepared a panel of possible arbitrators, each party, upon receiving the list and without stating reasons, may challenge one third of the individuals included on that list. Any other of the possible arbitrators remaining on the list may also be challenged, provided that the grounds alleged are among those that, according to the local law, justify the challenge of judges.

A challenge will also be admissible on the grounds set forth in Article 9 when the appointment of arbitrators is made by the litigants themselves or by a natural or a juridical person.

ARTICLE 13. *Establishment and competence of the arbitration tribunal.* If the arbitration agreement does not provide for the location of the arbitration tribunal, the parties may subsequently decide that the tribunal be established in the State in which the parties have a common domicile, or at the place where the contract was entered into or performed or where the events at issue took place, or at the place where the thing is located that is the object of the difference, provided that the transfer of jurisdiction is permitted by the law of the place of performance of the contract. Once established, the tribunal is the only body competent to take cognizance of the matter until it is decided.

If the parties are unable to reach agreement, the arbitrators may, after a preliminary hearing, establish the place of arbitration, in the manner most agreeable to the parties.

ARTICLE 14. *Functioning of arbitration tribunal.* The arbitration tribunal may not function unless all the arbitrators are present.

ARTICLE 15. *Arbitration procedure.* If there is no express agreement between the parties, the procedure for international commercial arbitration shall be that provided by the local arbitration law. If there is no local arbitration law, the procedure shall be established by the arbitrators. If the arbitrators have been appointed by an

inter-American arbitration committee, the procedure shall be that established by the Regulations of the Inter-American Commercial Arbitration Commission. In the above cases the public-policy provisions of the local law shall be respected.

ARTICLE 16. *Juridical nature of award.* The arbitrators shall decide the controversy as *amiables compositeurs* unless the parties have agreed upon another basis for the decision in the arbitration clause or in a later agreement of which the arbitrators have been informed.

ARTICLE 17. *Delivery of award.* The decisions of the arbitrators shall be by majority vote. The award shall be made in writing within the period specified by the agreement between the parties, the local law, or the Rules of Procedure of the Inter-American Commercial Arbitration Commission, whichever may apply.

The parties shall be duly notified of the arbitration award.

ARTICLE 18. *Compulsory force of award.* Arbitration awards have the force of a final judgment. Their execution may be enforced in the same manner as judgments of a court, national or foreign, according to the respective procedural law.

ARTICLE 19. *Recourse to judicial authority.* The party against whom the award is made may oppose its execution by appeal only in the following cases:

(1) Where the arbitration clause is invalid or vacated;

(2) Where fraud or coercion has been used in the delivery of the award;

(3) Where the arbitrators have exceeded their powers or neglected to settle some of the points in dispute;

(4) Where there has been a basic error in the proceedings, or the award has been made after the expiration of the period stipulated by the parties;

(5) When the award does not settle the dispute in a final and definitive manner;

(6) When the terms of the award are contradictory to the extent that they cannot be carried out.

The judicial authority of the place where the award was pronounced shall be competent to take cognizance of the appeal against the execution of the award.

ARTICLE 20. *Application of this law to pending controversies.* The provisions of this law shall also be applied, insofar as appropriate, when the parties agree in writing to submit to arbitration any pending controversy on a mercantile matter.

IX

INTERNATIONAL COOPERATION IN JUDICIAL PROCEDURES

WHEREAS:

The Council of the Organization of Amer States has again submitted to the Inter-Amer Council of Jurists the report on uniformit legislation relative to international cooperatio judicial procedures (judicial assistance), d September 23, 1952, with the observations rece to date, in accordance with Resolution XIV o Second Meeting of the Inter-American Counc Jurists;

No observations on this report have been ceived from the Governments of the Amer States, and observations have been received from three distinguished jurists; and

The Inter-American Council of Jurists, u studying the said reports, made certain comm and points out certain aspects of internati judicial cooperation that should be studied by Inter-American Juridical Committee,

The Inter-American Council of Jurists

RESOLVES:

1. To request the Secretary General of Organization of American States to ask each of governments of the American republics, withi days after the close of the Third Meeting of Inter-American Council of Jurists, to entrus officials or specialists in civil procedure and vate international law, or to public or pri entities, the study of the general problem of in national cooperation in judicial matters, and particular the report of the Inter-American Jur cal Committee of September 23, 1952, with rules contained therein, and the observations this Meeting, and to suggest to them that observations they have on these studies brought to the attention of the Inter-Ameri Juridical Committee through the Pan Ameri Union before the end of 1956.

2. That the Secretary General of the Organi tion of American States also request the gove ments of the American republics to bring to attention of the Inter-American Juridical Co mittee through the Pan American Union, bef the end of 1956, a report on the principal proble with which they are confronted in the field inter-American judicial cooperation, as well their legislation and practices with relation to t subject.

3. That the Secretary General of the Organi tion of American States send to the Inter-Ame can Juridical Committee the documents

eives as a result of the invitation to the governnts pursuant to the two foregoing paragraphs, as documents are received.

4. That the observations and suggestions made this Third Meeting be transmitted to the Intererican Juridical Committee for consideration.

5. That the Inter-American Juridical Committ- study the above-mentioned documents in order at it may continue to advance its work on the bject of international cooperation in judicial ocedures and that it give an account of its work the Fourth Meeting of the Inter-American uncil of Jurists, presenting if possible a new aft that, as in the previous one, includes by way illustration rules whose principles are capable being adopted in the domestic legislation of the erican republics.

X

NSIDERATION OF AMENDMENTS TO THE STATUTES OF THE INTER-AMERICAN COUNCIL OF JURISTS

HEREAS:

The Tenth Inter-American Conference, in solution LI, established certain rules for the ure functioning of the Inter-American Juridical mmittee and requested the Council of the Orization of American States to re-examine, in ordance with Article 62 of the Charter, the atutes of the Inter-American Council of Jurists, the purpose of incorporating those rules; and

The Council of the Organization of American ates has submitted to the Inter-American uncil of Jurists, at its Third Meeting, draft endments to its Statutes,[15] prepared by the mmittee on the Organs of the Council of the ganization of American States, so that the uncil of Jurists might have the opportunity to ke whatever comments it considers appro- ate,

The Inter-American Council of Jurists

SOLVES:

1. To inform the Council of the Organization of erican States that it has no observations to ke on the text of Articles 35(a), 35(d), 35(f), d 23 in the form in which they appear in the port of the Committee on the Organs of the uncil on the Revision of the Statutes of the er-American Council of Jurists (approved by Council of the Organization of American ates at its meeting of January 5, 1955); and that ther does it have any comment with respect to the elimination of the Transitory Articles of the Statutes.

2. To propose to the Council of the Organization of American States the following text for the articles indicated below:

ARTICLE 35 (b). The Inter-American Juridical Committee, before terminating its period of regular meetings, shall adopt the agenda and fix the opening date for the next period, and these decisions shall be promptly communicated by the Chairman to the Council and to the Secretary General of the Organization of American States. The Secretary General of the Organization shall bring this information to the attention of the interested governments, so that they may take the necessary measures to enable their nationals who are elected as members of the Juridical Committee to attend the said meetings at the appointed time.

ARTICLE 35 (c). If, at the close of the ordinary period of meetings, any important and urgent matter on the agenda should not have been studied, for lack of time, the Juridical Committee may, by the vote of five members, continue in extraordinary meeting for the consideration thereof.

ARTICLE 35 (e). The jurists elected as members of the Committee shall bear in mind that for the better fulfillment of the aims of the Committee it is essential that they devote themselves exclusively to the work of the Committee during the period of its meetings.

ARTICLE 34. Also in accordance with Article 32, in case of the death, resignation, or recall of a member of the Juridical Committee, the Council of the Organization shall request the State concerned to submit a new panel within the time specified.

ARTICLE 34 BIS. The Chairman of the Inter-American Juridical Committee may call the attention of the Council of the Organization of American States to any situation created by the nonattendance of members of the Committee, so that the Council may take appropriate measures.

3. To transmit to the Council of the Organization of American States, for its information, Document 64, Appendix 1, Revision 2, containing the reasons on which it bases its decision to propose the revised texts of the articles mentioned in the foregoing paragraph.

4. To request the Council of the Organization of American States to consider the possibility of accepting the amendment to Article 39 of the Statutes proposed in Resolution XI of the Second

[15] The text of the proposed amendments appears in *Annals*, VII, No. 2, pp. 113–15.

Meeting of the Inter-American Council of Jurists, in view of the reasons given by the Inter-American Juridical Committee, which appear in No. 11 of the document entitled "Observations of the Inter-American Juridical Committee on the draft amendments to the Statutes of the Inter-American Council of Jurists prepared by the Committee on the Organs of the Council of the Organization of American States".

XI

AMENDMENTS TO THE REGULATIONS OF THE INTER-AMERICAN JURIDICAL COMMITTEE

WHEREAS:

The Tenth Inter-American Conference, in Resolution LI, established certain rules for the future functioning of the Inter-American Juridical Committee and requested the Committee to proceed to amend its Regulations, for the purpose of incorporating those rules, and to submit the revised provisions to the Inter-American Council of Jurists;

The Inter-American Juridical Committee has submitted to the Council of Jurists certain amendments to its Regulations, in accordance with Article 28 thereof; and

The Inter-American Council of Jurists, pursuant to Article 50 of its Statutes, is to approve the Regulations of its permanent committee.

The Inter-American Council of Jurists

RESOLVES:

1. To approve the following amendments to the Regulations of the Inter-American Juridical Committee, which shall remain provisional until the Council of the Organization of American States approves the revised Statutes of the Inter-American Council of Jurists:

ARTICLE 8. The members of the Committee shall be elected, or re-elected as the case may be, and shall carry out their functions, in accordance with the pertinent provisions of the Statutes. The jurists elected as members of the Committee shall bear in mind that, for the better fulfillment of the aims of the Committee, it is essential that they devote themselves exclusively to the work of the Committee during the period of its meetings.

ARTICLE 9. The quorum necessary for the Juridical Committee to hold meetings shall be five members.

ARTICLE 10. The Committee shall function on a continuing basis for three consecutive months each year, at a time that does not coincide with any meeting of the Inter-American Council of Jurists, and without prejudice to its being c voked whenever any important and urg matter so requires, in accordance with the p cedures established in the Statutes.

ARTICLE 11. The meetings of the Juridi Committee shall be held as often as necess for the proper performance of its work.

ARTICLE 16. The opinions, resolutions, or cisions of the Committee require a minimum five affirmative votes. Any member, whethe not he is in agreement with the opinion, reso tion, or decision of the majority, shall have right to have his vote, with the reasons th for, recorded at the conclusion of the opini resolution, or decision. Questions of m procedure shall be decided by the affirmat vote of a majority of the members present.

ARTICLE 27 BIS (new). Whenever the Co mittee considers it useful, it may request ba ground material or preliminary studies from Department of International Law of the I American Union, and also from other agenc and persons specializing in international law, any topic that is submitted to the Committee study.

2. To authorize the Inter-American Juridi Committee, if it considers it necessary to meet special session immediately after the close of regular period of meetings to complete the stu of an important and urgent matter on its agen that it has not had time to study sufficien during the regular period, to apply the proced established in draft Article 35(c) contained paragraph 2 of the Resolution [x] on the Statu of the Inter-American Council of Jurists approv at this Meeting until the Council of the Organi tion of American States definitively revises Statutes of the Inter-American Council of Juris

XII

POSSIBILITY OF REVISING RESOLUTION VII OF T FIRST MEETING OF THE INTER-AMERICAN COUNCIL OF JURISTS

The Inter-American Council of Jurists,

HAVING SEEN:

The report of the Inter-American Juridi Committee on Resolution VII of the First Meeti of the Inter-American Council of Jurists (Doc ment CIJ-27),

RESOLVES:

To request the Inter-American Juridical Co mittee to prepare preliminary draft amendmen to Resolution VII of the First Meeting of t Inter-American Council of Jurists; to submit t said preliminary draft amendments to the gover

its of the member states for consideration; to raft, in the light of the observations received, raft text of amendments to Resolution VII; and submit that draft to the Fourth Meeting of the er-American Council of Jurists.

XIII

NCIPLES OF MEXICO ON THE JURIDICAL RÉGIME OF THE SEA[16]

EREAS:

The topic "System of Territorial Waters and ated Questions: Preparatory Study for the cialized Inter-American Conference provided in Resolution LXXXIV of the Caracas Con- ence" was included by the Council of the Or- ization of American States on the agenda of Third Meeting of the Inter-American Council urists; and

The conclusions of this Council on the subject to be transmitted to the Specialized Confer- e soon to be held,

The Inter-American Council of Jurists

RECOGNIZES as the expression of the juridical science of the Continent, and as applicable be- en the American States, the following rules, ong others; and

DECLARES that the acceptance of these princi- does not imply and shall not have the effect renouncing or prejudicing the position main- ied by the various countries of America on the stion of how far territorial waters should ex- d.

A

TERRITORIAL WATERS

. The distance of three miles as the limit of itorial waters is insufficient, and does not con- ute a general rule of international law. There- , the enlargement of the zone of the sea ditionally called "territorial waters" is justi- le.

. Each State is competent to establish its terri- al waters within reasonable limits, taking into ount geographical, geological, and biological ors, as well as the economic needs of its popu- on, and its security and defense.

B

CONTINENTAL SHELF

The rights of the coastal State with respect to sea-bed and subsoil of its continental shelf ex- tend also to the natural resources found there, such as petroleum, hydrocarbons, mineral substances, and all marine, animal, and vegetable species that live in a constant physical and biological relationship with the shelf, not excluding the benthonic species.

C

CONSERVATION OF LIVING RESOURCES OF THE HIGH SEAS

1. Coastal States have the right to adopt, in accordance with scientific and technical principles, measures of conservation and supervision necessary for the protection of the living resources of the sea contiguous to their coasts, beyond territorial waters. Measures taken by a coastal State in such case shall not prejudice rights derived from international agreements to which it is a party, nor shall they discriminate against foreign fishermen.

2. Coastal States have, in addition, the right of exclusive exploitation of species closely related to the coast, the life of the country, or the needs of the coastal population, as in the case of species that develop in territorial waters and subsequently migrate to the high seas, or when the existence of certain species has an important relation to an industry or activity essential to the coastal country, or when the latter is carrying out important works that will result in the conservation or increase of the species.

D

BASE LINES

1. The breadth of territorial waters shall be measured, in principle, from the low-water line along the coast, as marked on large-scale marine charts officially recognized by the coastal State.

2. Coastal States may draw straight base lines that do not follow the low-water line when circumstances require this method because the coast is deeply indented or cut into, or because there are islands in its immediate vicinity, or when such a method is justified by the existence of economic interests peculiar to a region of the coastal State. In any of these cases the method may be employed of drawing a straight line connecting the outermost points of the coast, islands, islets, keys, or reefs. The drawing of such base lines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within these lines must be sufficiently linked to the land domain.

3. Waters located within the base line shall be subject to the régime of internal waters.

The statements and reservations of Panama, the Domini- Republic, Cuba, Colombia, Brazil, Bolivia, Honduras, zuela, Guatemala, the United States, and Nicaragua re- ing this resolution appear on pp. 137–42 of this number.

4. The coastal State shall give due publicity to the straight base lines.

E

BAYS

1. A bay is a well-marked indentation whose penetration inland in proportion to the width of its mouth is such that its waters are *inter fauces terrae*, constituting something more than a mere curvature of the coast.

2. The line that encloses a bay shall be drawn between its natural geographical entrance points where the indentation begins to have the configuration of a bay.

3. Waters comprised within a bay shall be subject to the juridical régime of internal waters if the surface thereof is equal to or greater than that of a semicircle drawn by using the mouth of the bay as a diameter.

4. If a bay has more than one entrance, this semicircle shall be drawn on a line as long as the sum total of the length of the different entrances. The area of the islands located within a bay shall be included in the total area of the bay.

5. So-called "historical" bays shall be subject to the régime of internal waters of the coastal State or States.

XIV

SYSTEM OF TERRITORIAL WATERS AND RELATED QUESTIONS

The Inter-American Council of Jurists

SUGGESTS to the Council of the Organization of American States that it transmit to the Specialized Conference provided for in Resolution LXXXIV of the Caracas Conference[17] the Resolution [XIII] entitled "Principles of Mexico on the Juridical Régime of the Sea" approved by [the present meeting of] this Council, together with the minutes of the meetings at which this subject has been considered during the Third Meeting, as the preparatory study called for in Topic 1.a of its Agenda, "System of territorial waters and related questions: . . . ."

XV

RESERVATIONS TO MULTILATERAL TREATIES

WHEREAS:

The Council of the Organization of American States entrusted to the Inter-American Juridical Committee the study of the legal effect of re vations made to multilateral pacts at any st whether at the time of signature, of ratificat or of adherence;

In response to that request, the Juridical C mittee prepared a report that has been submi to the Inter-American Council of Jurists for sideration at its Third Meeting;

The Council having considered that report cluding the dissenting opinions annexed ther as well as draft proposals submitted by var delegations, has prepared a series of draft rule serve as the basis for further studies by in American organizations and the governments;

The draft rules prepared by the Council Jurists, as indicated in the request of the Cou of the Organization of American States, shoul transmitted to that body,

The Inter-American Council of Jurists

RESOLVES:

1. To request the Council of the Organiza of American States to forward the draft prep by the Inter-American Council of Jurists on effects of reservations to multilateral treaties the member governments in order that they r make any observations thereon that they consi advisable.

2. To ask the Inter-American Juridical C mittee to take into account the above-mentio draft and the observations of the member gove ments and to prepare a second draft of rules t presented to the Fourth Meeting of the In American Council of Jurists.

DRAFT RULES APPLICABLE TO RESERVATIONS MULTILATERAL TREATIES SUBMITTED BY TH INTER-AMERICAN COUNCIL OF JURISTS

A. Reservations made at the time of signing

1. A State that desires to make reservations a multilateral treaty at the time of collective nature shall transmit the text thereof to all Sta that have taken part in the negotiations, at le 48 hours in advance, unless some other period been agreed upon in the course of the delibe tions.

2. The States to which the afore-mentioned cc munication has been made shall notify the ot States and the State that is making the reser tions, before the collective signing, as to whet they accept the said reservations or not.

3. Reservations that have been expressly jected, even though in part, by the majority States present at the signing, shall not be mitted.

B. Reservations made at the time of ratification adherence

[17] Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters", held in Ciudad Trujillo, Dominican Republic, from March 15 to 28, 1956. The resolutions of this Conference are published on pp. 163-70.

. At the time of ratification or adherence, ervations may be made in the manner and under conditions stipulated in the treaty itself or eed to by the signatories.

. In the absence of any stipulation in the aty itself or of agreement between the signa- es with respect to the making of reservations he time of ratification or adherence, such reser- ions may be made if within six months after the ial notification thereof none of the signatory tes objects to them as being incompatible with purpose or object of the treaty. The reserva- is shall be considered accepted by a signatory te that does not object to them on any other und within the six-month period.

. If there is an allegation of incompatibility, General Secretariat of the Organization of erican States shall, on its own initiative and in ordance with its prevailing rules of procedure, sult the signatory States, and the reservations ll not be admitted if within six months they deemed to be incompatible by at least one rd of such States.

. In the case of treaties opened for signature a fixed or an indefinite time, the applicable s shall be those governing reservations made he time of ratification or adherence.

. A reservation that is not repeated in the rument of ratification shall be deemed to have n abandoned.

General rules

. It is advisable to include in multilateral aties precise stipulations regarding the ad- sibility or inadmissibility of reservations, as l as the legal effects attributable to them, uld they be accepted.

. The legal effects of reservations are in gen- the following:

a. Between countries that have ratified with- ut reservations, the treaty shall be in force in ne form in which the original text was drafted nd signed.

b. Between the States that have ratified with eservations and those that have ratified and ccepted such reservations, the treaty shall be in orce in the form in which it was modified by the aid reservations.

c. Between a State that has ratified with eservations and another State that has ratified nd not accepted such reservations, the treaty hall not be in force.

d. In no case shall reservations accepted by ne majority of the States have any effect with espect to a State that has rejected them.

. Any State may withdraw its reservations at any time, either before or after they have been accepted by the other States.

4. The prevailing rules of procedure referred to in paragraph B.3 are the six rules approved in Resolution XXIX of the Eighth International Conference of American States and those rules that may be approved by the competent organ in the future.

XVI

Collaboration with the International Law Commission of the United Nations

Whereas:

At its First Meeting the Inter-American Council of Jurists approved a resolution to establish cooperative relations with the International Law Commission of the United Nations;

That Commission, during its Seventh Session, decided to request the Secretary-General of the United Nations to authorize the Secretary of the Commission to attend this Third Meeting as an observer, and in accordance with that request the Secretary of the Commission has been present in that capacity during the deliberations; and

Article 4 of the Statutes of the Inter-American Council of Jurists provides that when the cooperation of specialized agencies implies the establishment of permanent relations with the corresponding organs of the United Nations, the Inter-American Council of Jurists may act only in agreement with the Council of the Organization of American States,

The Inter-American Council of Jurists

Resolves:

1. To express its opinion that it would be desirable for the Organization of American States to study the possibility of having its juridical agencies represented as observers at the sessions of the International Law Commission of the United Nations.

2. To record its satisfaction at noting the presence of the Secretary of the International Law Commission of the United Nations at this Third Meeting of the Council, which it considers as the beginning of direct recognition by both agencies of their respective work, to the advantage of the development of international law.

XVII

Determination of the Matters that Should Be Studied by the Permanent Committee During Its New Period of Meetings

Whereas:

The regular period of meetings of the Inter-American Juridical Committee is only three

months a year, according to its new regulations; and

That during a regular period of meetings the Committee can study only a limited number of topics,

The Inter-American Council of Jurists

RESOLVES:

To recommend to the Inter-American Juridical Committee that in its periods of meetings during 1956 and 1957, without prejudice to its discussion of other matters, it give preference to the study of the following topics:

1. Principles of international law governing the responsibility of the State;
2. Possibility of revising Resolution VII of the First Meeting;
3. International cooperation in judicial procedures; and
4. Reservations to multilateral treaties.

XVIII

SEAT OF THE FOURTH MEETING OF THE INTER-AMERICAN COUNCIL OF JURISTS

WHEREAS:

The Delegations of Cuba, Mexico, and Peru, with the unanimous support of the Council, have suggested Santiago, Chile, as the seat of the Fourth Meeting of the Inter-American Council of Jurists; and

The Delegation of the Republic of Chile has accepted the above suggestion,

The Inter-American Council of Jurists

RESOLVES:

To express to the Government of Chile its appreciation of the generous offer, and to decide upon Santiago, Chile, as the seat of the Fourth Meeting of the Inter-American Council of Jurists.

XIX

VOTE OF THANKS

The Inter-American Council of Jurists

RESOLVES:

1. To express to His Excellency, Adolfo Ruiz Cortines, the President of Mexico, and to Luis Padilla Nervo, the Secretary of Foreign Affairs, the sincere gratitude of the representatives for all the attentions and courtesies extended to them during the Third Meeting of the Council, which constitute a still further demonstration of the traditional spirit of culture and hospitality that characterizes the Government and people of Mexico.

2. To extend cordial congratulations to Dr. Roberto A. Esteva Ruiz, the Chairman of the Meeting, for the admirably efficient manner which he has conducted the discussions and work of the Meeting.

3. To present its thanks to the Inter-American Juridical Committee for the important preparatory work that has made possible the success this Meeting, as well as to Dr. Charles G. Fenwick, its Executive Secretary, and to Dr. Manuel Canyes, its Assistant Executive Secretary.

4. To congratulate Dr. Oscar Rabasa and Dr. Francisco Cuevas Cancino, who as Secretary General and Assistant Secretary General, respectively, contributed to the efficient progress of the deliberations of the Third Meeting of the Council.

5. To acknowledge with appreciation the collaboration and valuable services of the staff of the Pan American Union, the officers and employees who served the Meeting, and the intelligent group of newspapermen who covered the meetings—all of them, in one way or another, contributed to the successful outcome of the work.

STATEMENTS AND RESERVATIONS

RESOLUTION VII

RESERVATIONS OF THE DOMINICAN REPUBLIC

The Delegation of the Dominican Republic affirms the reservations made during the discussion of the Draft [of the Convention on Extradition] in Committee II, relating to Articles 10 and 21 on the extradition of nationals, without prejudice to any reservations to that instrument might be made later by the Dominican Government.

RESERVATION OF URUGUAY

The Delegation of Uruguay approves the Draft with the reservation, which it will make at the proper time, that the treaty in question shall not impair, as regards Uruguay, the provisions of the corresponding treaty formulated by the Second Congress of Private International Law of Montevideo, in 1939 and 1940; nor shall it impair any of the bilateral extradition treaties now in force to which Uruguay is a party.

STATEMENT OF THE UNITED STATES

The Delegation of the United States votes for the draft resolution submitted by Committee I in view of the fact that the said draft contemplates the approval of the Draft Convention on Extradition only for the purposes set forth in the second paragraph of Resolution CVII of the Tenth Inter-American Conference.

At the proper time, during the consultation provided for in the said second paragraph of Res

cvii, the Government of the United States make suggestions with respect to the Draft in ral, as well as observations with respect to ous provisions of the Draft, which could not greed to by the United States in their present n.

ERVATIONS OF MEXICO

Iexico approves the Draft and adds that, for reasons stated in the discussions of Committee t makes reservations to the following articles:

Article 8, last paragraph, referring to "An mpt".

Article 9, in the sense that the death penalty or the crime for which extradition is requested.

Article 10, in the sense that it shall not be gatory in any case for the requested State to ender its nationals.

Article 21, in the sense of accepting volun- extradition only when the requested State iders it advisable.

TEMENT OF PERU

he Delegation of Peru to the Third Meeting of Inter-American Council of Jurists considers it ssary to make the following individual state- t, which sets forth the position of its country relation to subhead 6 of Article 8 of the Draft vention on Extradition approved by Commit- II of this Third Meeting of the Council:

The Delegation of Peru is in agreement with e second and third paragraphs of subhead 6 of rticle 8. It is likewise in agreement with the st part of the first paragraph of that subhead, the extent that extradition shall not be anted "When, as determined by the requested ate the persons concerned are sought for po- ical offenses. . . ." It does not agree, however, th the rest of that paragraph.

The Delegation of Peru understands that in- rnational cooperation in the service of justice, herent in the very nature of the extradition ocedure, should not be limited, and ob- ructed and impeded when dealing with fenders who primarily have violated the mmon law and not the political order of e requesting State, this cooperation being still ore necessary when acts are involved that are open manifestation of anarchy or terrorism.

For this reason, the Delegation of Peru gives approval to the Draft Convention on Extra- tion submitted, with the exception of Article (6), paragraph 1, of the Draft which, in its dgment, should have provided that the extra- tion shall not be granted when the persons ncerned are sought for political offenses, as determined by the requested State; but that, nevertheless, the allegation of political ends or motives shall not prevent extradition when the act charged to the person whose extradition is being sought is primarily an ordinary violation of the criminal law.

STATEMENT OF NICARAGUA

With respect to the Draft Convention on Extradition, which was voted upon favorably by the Delegation of Nicaragua, we wish to observe, without prejudice to any other observations that might later be made by our Government, that the legislation of Nicaragua expressly prohibits the granting of extradition in the case of nationals.

Resolution VIII

RESERVATION OF THE ARGENTINE REPUBLIC

The Delegation of the Argentine Republic makes a reservation with respect to the application of the Uniform Law on Inter-American Commercial Arbitration, in view of its federal system of government, which assigns procedural matters to the jurisdiction of the provinces.

Resolution XIII

STATEMENT OF PANAMA

The Delegation of Panama desires to record its hope that at the forthcoming Conference of the Dominican Republic[18] a formula will be achieved that is more conducive to inter-American unity than the one reached in the second point of section A on territorial waters. The position of Panama on this point was expressed at the twelfth meeting of Committee I. We consider, in brief, that with respect to the extent of territorial waters two fundamental interests exist: first, that of the coastal State, and second, that of the international community. Panama, therefore, believes that the determination of territorial waters cannot lie within the discretion of only one of those interests, that of the coastal State; and, it hopes therefore that the Conference of Santo Domingo will find a formula more favorable to the maintenance of a balance between the two interests.

STATEMENT OF THE DOMINICAN REPUBLIC

The Delegation of the Dominican Republic has abstained from voting, as announced, because it believes that the Inter-American Council of Jurists has brought into consideration questions

[18] Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters", held in Ciudad Trujillo, Dominican Republic, from March 15 to 28, 1956. The resolutions of this Conference are published on pp. 137–42.

that have been specifically assigned to the Specialized Conference provided for by the Tenth Inter-American Conference of Caracas, in Resolution LXXXIV.

STATEMENT OF CUBA

In the preamble to the resolution an obvious legal contradiction is noted. In spite of the fact that it *Recognizes* that the principles contained therein are "the expression of the juridical conscience of the Continent," and are "applicable between the American States," the resolution *Declares* that "the acceptance of these principles does not imply and shall not have the effect of renouncing the position maintained by the various countries of America on the question of how far territorial waters should extend." What value or legal effect can a declaration of principles have when in the instrument itself it appears that their acceptance will not affect the individual position maintained by the various parties to the declaration?

A

Territorial Waters

1. With respect to the traditional principle of the marine league, the statement is made, in absolute and categorical terms, that the distance of three miles as the limit of territorial waters "is insufficient," and that "Therefore, the enlargement of the zone . . . is justifiable." However, the facts do not show that a greater width for territorial waters is always justified, that is, in every case, since one fourth of the maritime States have not claimed for their territorial waters an extent greater than three miles. It would be one thing to admit that in certain cases a greater extent is justified, but it is quite another to maintain that the limit of three miles is insufficient for all States.

2. On the other hand, the State is authorized to establish (that is, to extend) "its territorial waters within reasonable limits, taking into account geographical, geological, and biological factors, as well as the economic needs of its population, and its security and defense." Practically, this is tantamount to claiming that the question of the width of territorial waters comes within the internal competence of the State, which will decide, on a subjective basis, what limit it is "reasonable" to give its territorial waters. This ignores the fact that, when considering the appropriation in full sovereignty of a maritime zone that heretofore has been a part of the high seas, it is not alone the needs and interests of the coastal State that are involved. Also involved are the needs and interests of the international community and, in partic those of States whose nationals have dev themselves from time immemorial and wit interruption to the exploitation of the zone c high seas affected by the extension of the torial waters of the coastal State. The I national Court of Justice, in deciding the A Norwegian Fisheries case (1951), declared the delimitation of territorial waters is n question that falls within the internal and e sive jurisdiction of the coastal State.

B

Continental Shelf

This part of the resolution contains a defin and an exhaustive enumeration of what shou understood by "natural resources" of the c nental shelf. The Tenth Inter-American ference (Caracas, 1954) requested the Specia Conference to study "as a whole the diffe aspects of the juridical and economic sy governing the submarine shelf, oceanic wa and their natural resources in the light of pres day *scientific knowledge* [italics supplied by Delegation]"; and it requested the pertinent i American organizations (which would include Inter-American Council of Jurists) to re necessary cooperation in the preparatory w that the said Specialized Conference requires stead of confining itself to declaring the natu the rights of the coastal State with respect to natural resources of the sea-bed and the sub of its continental shelf, the resolution defines enumerates the said resources, thus invading area of knowledge totally foreign to the na and functions of the Inter-American Counc Jurists. What value for the Specialized Confer could scientific concepts have that are formul by a juridical body?

C

Conservation of Living Resources of the High S

1. The resolution recognizes the right of coastal State to adopt the conservation meas necessary for the protection of the living resou of the high seas, the only limitations being scientific and technical principles should be lowed, that rights derived from internati agreements to which the coastal State is a p may not be prejudiced, and that such meas may not discriminate against foreign fisherm However, the proposal presented by Cuba Mexico to the International Technical Confere on the Conservation of the Living Resource

Sea (Rome, 1955), and approved by a majority the countries represented at this Meeting of ists, established still other limitations to the ing of this unilateral action by the coastal te. First, that action could only be taken when re was an imperative need to conserve such ources. Second, in the event of differences be- en the coastal State and other interested tes, either as to the scientific and technical tification of the measures taken or as to their ure and scope, the proposal stated that *such ferences shall be decided* by technical agencies of international character. The proposal also ted that the nature and scope of the problems sing at present out of the conservation of the ng resources of the sea clearly suggest the essity of solving them primarily on the basis of ernational cooperation, through the concerted ion of all States concerned. These ideas of the posal were accepted by the International Law mmission of the United Nations and incorpo- ed in its latest draft on the conservation of the ng resources of the sea.

2. The second paragraph of section C of the olution includes, in the idea of "conservation" he living resources of the high seas, the "right exclusive exploitation" of certain maritime cies. Exclusive exploitation presupposes a dical régime totally different from that of servation, as was made perfectly clear in our cussions. But aside from this consideration, lusive exploitation of the living resources of the has, up to now, been conceivable only within territorial waters of the State, so that to speak t in relation to species of the high seas pre- poses the study and knowledge of scientific ments and economic factors that have not been died by the Council, which, considering its ure and its necessarily limited functions, is not position to make such a study.

In sum, the resolution of the Council presup- es an extension of its mandate, which amounts an encroachment upon the assignment given to Specialized Conference by the Caracas Con- nce. In a certain sense one might arrive at the clusion that that Conference has to a great nt lost its reason for being held. This is a ation that will be difficult to understand, but h more difficult still will be the fact that a ting of jurists has arrived at conclusions on jects that are outside the competence of per- s dedicated to the study of law. What objective dity can the opinion of the Inter-American ncil of Jurists have on questions and problems cerning which it lacks scientific authority? This situation is doubly regrettable because of the fact that the resolution attempts to incorporate an idea of undeniable justice: that of the special interest of the coastal State in the exploitation and conservation of the riches of the sea. But in order to serve this justified purpose the resolution should have been limited to bringing together and expressing concepts and rules of the new international law of the sea, which have reconciled the recognition and protection of the interest of the coastal state with the recognition and protection of the general interest.

STATEMENT OF COLOMBIA

The Delegation of Colombia has abstained from voting on the foregoing resolution for the following reasons:

1. Because taken by itself it does not constitute the preparatory study requested for the Specialized Conference.

2. Because its preamble declares that the clauses of the resolution are "applicable . . . rules" for the American States.

In accordance with fundamental principles of international law and with the constitutional system of the American countries, a rule is not applicable and contractually binding except when it is contained in a treaty duly approved and ratified. Simple resolutions cannot have that effect. This is still more evident in the present case because the Council of Jurists is a consultative organ.

The problem is especially serious for a country like Colombia, which has no special constitutional or legislative provisions on several of the questions referred to in the resolution. Consequently, it is not possible to admit that a mere resolution of a consultative organ decides questions that must be settled as a matter of sovereignty, at the proper time, by the competent constitutional or legal organs of each State.

3. Because point A.1 confuses two different problems: one of law, which is the validity or invalidity of the three-mile limit, and the other of fact or mere desirability, which is the insufficiency of that limit. Moreover, it is in contradiction to the general system established in point A.2.

4. Because point A.2, which establishes the rule that the coastal State is competent to establish its territorial waters within reasonable limits, taking into account certain circumstances, was voted against by the Colombian Delegation, inasmuch as our country believes that this matter should be settled by means of special or general agreements between States.

In this respect the Delegation notes with satisfaction that its point of view has in fact been rather extensively accepted within the Council. Because while point A.2 was approved by 15 affirmative votes, with 4 opposed and 2 abstentions, three delegations that voted affirmatively, that is, Brazil, Venezuela, and Panama, subsequently made reservations recording their disagreement with the aforesaid point A.2; and the Delegation of Nicaragua made partial objections.

The Delegation of Colombia is in agreement with the provisions relative to the continental shelf and the recognition of the rights of coastal States to conserve, supervise, and protect the resources and riches of the sea. Naturally, it accepts those provisions as a statement of principles that the Council recommends, not as rules applicable by virtue of the resolution.

On the other hand, with respect to the resources and riches of the sea, the Delegation of Colombia would have wished to exclude from the rules certain technical points that should have been left for consideration by the Specialized Conference. In this regard, the Delegation of Brazil, in its reservation, makes certain concrete observations that are worthy of being studied.

Finally, the Delegation of Colombia calls attention to the fact that, at the meeting of Committee I held on February 1, one of its members set forth in full the opinions of the Delegation.

In general the Colombian Delegation does not believe that it is desirable to adopt definitive and binding positions until after the Specialized Conference of Ciudad Trujillo has taken place, and the next General Assembly of the United Nations is held. Any prior commitment might prevent those meetings, which do have authority in the matter, from the reaching of an agreement that would permit the juridical unity of the Continent on territorial waters, a unity for which Colombia will always work, faithful to its traditional spirit of American solidarity and fraternity.

STATEMENT OF BRAZIL

1. The Council of the OAS included topic 1.a on the agenda of the Third Meeting of the Inter-American Council of Jurists, entitled "Territorial waters and related questions . . . ", in compliance with the provisions of Resolution LXXXIV of the Tenth Inter-American Conference, so that a preparatory study could be made to assist the work of the Specialized Conference that it had decided to call. This being the situation, the Delegation of Brazil considers that Resolution XIII of the Third Meeting of the Inter-American Cou of Jurists is not definitive and represents, for most part, only a reaffirmation of principles e nating from doctrines and actual positions.

2. With respect to those principles, the Del tion of Brazil, in approving the draft resolut formulates the following specific reservations.

3. As to point A.1, the Delegation of B understands that the categorical statement "the distance of three miles as the limit of t torial waters is insufficient" does not corresp to present reality in all cases. Moreover, in t cases in which it is shown that the width of territorial waters of a coastal State is insuffic for its proper purposes, the recognition of rights and powers of the coastal State over contiguous zone may supplement it satisfacto

4. The Delegation of Brazil is of the opi that the principle laid down in point A.2 pl too much emphasis on the individual State, w out consulting the interests of the internati community in establishing the limits of the t torial waters of each State. The unilateral cha ter of that principle would make it impossibl use it in working out a binding international r nor would it contribute to better relations am States.

5. With respect to section C of Resolution X the Delegation of Brazil desires to point out t under the general title of "Conservation of Liv Resources of the High Seas" are included mat of a widely varying nature, such as the protec of the living resources of the open sea and exclusive exploitation by the coastal State of tain species in which it has a special inter Moreover, the principle stated in point C.1 the same unilateral character to which we refe above, and likewise does not give proper consi ation to the interests of the international c munity. In addition, the reservation at the en paragraph C.1 is in conflict with the provisio point C.2, which reserves to the coastal State exclusive right of exploitation of certain spec a rule that suffers from the same defects h pointed out. With respect to such points, Delegation of Brazil considers that the prob is essentially of an international nature, and t therefore, the conciliation of divergent inter should be the object of agreements, or should entrusted to proper international agencies.

6. The Delegation of Brazil is completely agreement with the principle announced in sect B, inasmuch as it recognizes as a rule of custom international law that the continental shelf i part of the territory of the State to which it c

sponds. Taking this view, the Brazilian Govern-
ent has already determined that the Federal
ion exercises rights of exclusive jurisdiction
d dominion over the Brazilian continental shelf,
serving for itself also the exploitation and ex-
oration of the natural wealth of its soil and sub-
l. With regard to the waters that cover the
elf, the Brazilian Government decided to con-
ue in force the rules governing navigation,
thout prejudice to any rules that may later be
ablished in that field, especially with reference
fishing.

ATEMENT OF BOLIVIA

Bolivia, a country that has been deprived of its
aritime coast for 77 years, abstains, in harmony
th its votes at previous international meetings,
rticularly at the Tenth Inter-American Con-
ence of Caracas, from voting on questions
ving to do with the juridical régime of terri-
rial waters, until such time as considerations of
gh international justice and the demands of
ter-American understanding and good relations
ing about an end to its landlocked situation.

ATEMENT OF HONDURAS

The Delegation of Honduras repeats its official
sition on the topic "System of territorial waters
d related questions . . . ", recorded in its state-
ent of January 28, which appears in the minutes
the eleventh meeting of Committee I.

ATEMENT OF VENEZUELA

The Delegation of Venezuela wishes to place on
cord that it has voted affirmatively on the reso-
ion on territorial waters and related questions
the sense that it establishes a basis for study by
e Inter-American Specialized Conference; and
view of the fact that it states fundamental
nciples with which Venezuela is in agreement.
e Delegation believes that upon being analyzed
that Conference these matters should be given
cial consideration.

This affirmative vote does not mean that the
egation adheres without qualification to the
t of the resolution as it is written, and it im-
es only, as has been pointed out, the recognition
some of the principles announced.

With respect to territorial waters, it considers
t the States have the right to extend them to
sonable limits, taking into account, besides the
tors that have been mentioned, the principles
t are at present recognized by international
and those that may be established in the
ure.

Also, Venezuela reaffirms the authority and
isdiction that it exercises over the soil and subsoil of its continental shelf, and the right that it has to conservation and exploitation of the natural resources there.

STATEMENT OF GUATEMALA

The Delegation of Guatemala, considering that Article 2 of Section D and Section E on bays deserve greater and more detailed analysis, as well as due consideration of the applicable régimes, abstains from approving them, and states that the historic Bay of Amatique is subject to the exclusive sovereignty of Guatemala.

STATEMENT AND RESERVATION OF THE UNITED STATES

For the reasons stated by the United States Representative during the sessions of Committee I, the United States voted against and records its opposition to the resolution on territorial waters and related questions. Among the resaons indicated were the following:

That the Inter-American Council of Jurists has not had the benefit of the necessary preparatory studies on the part of its permanent committee which it has consistently recognized as indispensable to the formulation of sound conclusions on the subject;

That at this Meeting of the Council of Jurists, apart from a series of general statements by representatives of various countries, there has been virtually no study, analysis, or discussion of the substantive aspects of the resolution;

That the resolution contains pronouncements based on economic and scientific assumptions for which no support has been offered and which are debatable and which, in any event, cover matters within the competence of the Specialized Conference called for under Resolution LXXXIV of the Tenth Inter-American Conference;

That much of the resolution is contrary to international law;

That the resolution is completely oblivious of the interests and rights of States other than the adjacent coastal States in the conservation and utilization of marine resources and of the recognized need for international cooperation for the effective accomplishment of that common objective; and

That the resolution is clearly designed to serve political purposes and therefore exceeds the competence of the Council of Jurists as a technical-juridical body.

In addition, the United States Delegation wishes to record the fact that when the resolution, in the drafting of which the United States had no

part, was submitted to Committee I, despite fundamental considerations raised by the United States and other delegations against the resolution, there was no discussion of those considerations at the one and only session of the Committee held to debate the document.

STATEMENT OF NICARAGUA

The Delegation of Nicaragua desires to place on record that its abstention from voting on the draft resolution on the system of territorial waters and related questions, approved at the Third Meeting of the Inter-American Council of Jurists, was based on this delegation's view that first consideration should be given to the conclusions that might be reached by the Specialized Conference of Ciudad Trujillo on the technical aspects and economic needs with respect to territorial waters and related questions, in order to make it possible to formulate juridical principles that would harmonize the different tendencies that might eventually constitute a rule of international law unanimously accepted throughout the Continent.

IN WITNESS WHEREOF, the representatives of the American republics who participated in the Third Meeting of the Inter-American Council of Jurists sign the present Final Act, done in Spanish, in Mexico City, on February the fourth, nineteen hundred fifty-six.

This Final Act shall be deposited in the General Secretariat of the Organization of American States through the Secretariat of the Inter-American Council of Jurists, which will transmit authenticated copies thereof to the governments of the American republics, to the members of the Inter-American Council of Jurists, and to its permanent committee.

The Secretariat of the Inter-American Council of Jurists shall be responsible for publishing translations of the present Final Act in the other official languages of the Meeting.

For Panama:
CARLOS SUCRE C.

For the Dominican Republic:
TEMÍSTOCLES MESSINA

For Uruguay:
GILBERTO PRATT DE MARÍA

For Cuba:
N. GARCÍA AMADOR
P. CONCEPCIÓN

For Paraguay:
M. MALLORQUÍN

For Colombia:
LUIS A. FLÓREZ

For Brazil:
LINEU DE ALBUQUERQUE MELLO

For Bolivia:
G. ALBORTA V.

For Honduras:
HUMBERTO LÓPEZ VILLAMIL

For Chile:
LUIS D. CRUZ OCAMPO

For Argentina:
I. RUIZ MORENO

For Venezuela:
MARTÍN PÉREZ MATOS

For Guatemala:
GMO. A. MEDRANO

For the United States:
GEO. H. OWEN

For Haiti:
MARC PIERRE LOUIS

For Mexico:
R. A. ESTEVA RUIZ
P. CAMPOS ORTIZ

For Costa Rica:
FERNANDO FOURNIER A.

For Ecuador:
GONZALO ESCUDERO

For El Salvador:
M. RAFAEL URQUÍA

For Peru:
ALBERTO ULLOA

For Nicaragua:
ALFONSO ORTEGA

For the Organization of the American States:
CHARLES G. FENWICK

On February the fourth, nineteen hundr fifty-six, in Mexico City, His Excellency Osc Rabasa, Director General of the Diploma Service of the Secretariat of Foreign Affairs Mexico, signed this Final Act as Secretary Ge eral of the Third Meeting of the Inter-Americ Council of Jurists.

OSCAR RABASA
Secretary Genera

DISTRIBUTION OF RESOLUTIONS OF TH THIRD MEETING OF THE COUNCIL.—T Inter-American Council of Jurists, at Third Meeting, the Final Act of which

rinted in the preceding pages, approved arious resolutions which it referred to the ouncil of the Organization of American tates for action. Those transmitted were esolution IV (Inter-American Academy of omparative and International Law), Reso- tion VII (Draft Convention on Extradi- on), X (Consideration of Amendments to e Statutes of the Inter-American Council Jurists), and XV (Reservations to Multi- teral Treaties).

On April 12, 1956, the Secretary of the ouncil of the Organization addressed a emorandum to the Chairman of that ouncil suggesting the action which could taken in the execution of the afore- entioned resolutions.

The Council of the Organization con- dered these suggestions in its meeting of pril 19, and approved distribution of the ur resolutions as follows:

Resolution IV, to the Committee on Inter- merican Organs, for a preliminary study the "possibility of entering into an agree- ent or special cooperative arrangement th the Inter-American Academy of Com- rative and International Law . . . ."

Resolution VII, to the Committee on ridical-political Matters. This resolution ansmitted to the Council of the Organiza- on the Definitive Draft Convention on Ex- adition, drawn up by the Council of rists "pursuant to paragraph 2 of Resolu- on CVII of the Tenth Inter-American nference", which provides "That, once e draft is approved by the Inter-American ouncil of Jurists, the Council of the Or- nization shall consult the Member States garding the draft and the suitability of, d the appropriate opportunity for, open- g that instrument to signature."

Resolution X, to the Committee on Organs the Council, to draft the new text for the atutes of the Inter-American Council of rists and submit it to the Council of the ganization for approval.

Resolution XV, to the Pan American Union, so that it may forward the resolution to the governments of the member states, for their observations on the proposal prepared by the Inter-American Council of Jurists on the effects of the reservations to multilateral treaties.

PERIOD OF SESSIONS OF THE INTER-AMERICAN JURIDICAL COMMITTEE FOR 1956.—By a resolution approved November 21, 1955, the Inter-American Juridical Committee, permanent committee of the Inter-American Council of Jurists, closed its regular period of sessions for 1955 and set the dates for its period of sessions for 1956 (June, July, and August of that year). The resolution reads as follows:

WHEREAS:

The first paragraph of Resolution LI of the Tenth Inter-American Conference, held at Caracas, provides: "That, beginning in 1955, the Inter-American Juridical Committee shall function on a permanent basis during three consecutive months each year, at a time that shall not coincide with any meeting of the Inter-American Council of Jurists, and without prejudice to the convocation of an extraordinary meeting whenever any important and urgent matter so requires";

At the time that the Committee on Organs of the Council of the Organization of American States was re-examining the Statutes of the Inter-American Council of Jurists for the purpose of incorporating the above-mentioned rule, among others, into that document, it prepared a text for this provision that was practically a literal reproduction of the paragraph quoted above, except for the fact that the Committee inserted the clause "at a time that the said Committee itself shall determine", so that the full text of the paragraph proposed by the Committee reads as follows: "Article 35 (a). The Inter-American Juridical Committee shall function on a permanent basis during three consecutive months each year, at a time that the Committee itself shall determine and which shall not coincide with any meeting of the Inter-American Council of Jurists, without prejudice to the convocation of an extraordinary meeting whenever any important and urgent matter so requires";

No observations were made on the text of the

aforesaid Article 35 (a) in this Committee's report dated September 21, 1955, on amendments to the Statutes of the Inter-American Council of Jurists, issued in compliance with point 2 of the resolution approved by the Council of the Organization on January 5, 1955, but an observation was made with respect to Article 35 (b), the text of which, in the opinion of the Committee as expressed in that report, should be: "The Inter-American Juridical Committee, before terminating its period of regular meetings, shall adopt the agenda and fix the opening date for the next period, and these decisions shall be promptly communicated by the Chairman to the Council and to the Secretary General of the Organization of American States. The Secretary General of the Organization shall bring this information to the attention of the interested governments, so that they may take the necessary measures to enable their nationals who are elected as members of the Juridical Committee to attend the said meetings at the appointed time"; and

This Committee deems it desirable to set the opening date for its work next year during the season in which the weather of Rio de Janeiro is most favorable; and also to list the subjects that have been entrusted to it and point out that their present status is as follows:

a. System of Territorial Waters and Related Questions: The Inter-American Council of Jurists, in Resolution XIX of its Second Meeting, requested the Committee to continue the study of this subject. Pursuant to resolutions approved on October 6, 1954, and September 2, 1955, the Committee suspended its study of this subject pending the results of the Specialized Conference that is to be held in accordance with Resolution LXXXIV of the Tenth Inter-American Conference;

b. Nationality and Status of Stateless Persons: The Inter-American Council of Jurists, in Resolution VII of its Second Meeting, entrusted to the Committee the carrying out of a methodical study of this subject, which study is to be accompanied by the pertinent doctrinal and legislative antecedents. As of this date, no appreciable number of opinions on this matter have been received from the American Governments;

c. Scope of the Powers of the Council of the Organization: In Resolution XII of the First Meeting of the Inter-American Council of Jurists the Committee was charged with continuing the technical study of the powers of the Council of the Organization of American States and obtaining, to this end, the opini of the members of the Council. Only t opinions have been received;

d. The Strengthening and Effective Exerc of Representative Democracy in America: Resolution V of April 8, 1950, approved by t Council of the Organization acting provisic ally as Organ of Consultation, and Resoluti VII of the Fourth Meeting of Consultation Ministers of Foreign Affairs, the Commit was assigned the task of undertaking the p manent preliminary studies of this matt This subject has been discussed at leng but no agreement by the required majori capable of expressing the prevailing opini of the Committee, could be reached;

e. Possibility of Revising the Americ Treaty on Pacific Settlement: In Resoluti XCIX, the Tenth Inter-American Conferer agreed that the Council of the Organizati should conduct an inquiry among the Memb States to ascertain the suitability of, and a propriate opportunity for, proceeding to vise the American Treaty on Pacific Sett ment; it also agreed that, only if the decisi is affirmative should the Inter-Americ Council of Jurists and its permanent comm tee study the possibility of revising the P of Bogotá and formulate the respective p liminary drafts. This inquiry has not be conducted, as far as the Committee is awar

f. Inter-American Court of Justice: Reso tion C of the Tenth Inter-American Conf ence provides that the Council shall ascert the position of each of the Member Stat with respect to the idea of constituting Inter-American Court of Justice, and that, the event there is a majority in favor, t Committee shall prepare a preliminary dr statute for the aforesaid Court. Up to t time, the Committee has received no notice the effect that the governments of the Ame can States have expressed opinions in t matter;

g. Contribution of the American Contine to the Development and to the Codification the Principles of International Law T Govern the Responsibility of the State: In Re lution CIV, the Tenth Inter-American Co ference recommended to the Committee t preparation of a study or report on this su ject. The Committee began the study of t matter during its regular meetings in 1955;

h. Prevention of Intervention by Totalitari Powers in the Establishment of Governmen

The proposal presented by the Delegation of Uruguay was transmitted to the Committee for consideration, in accordance with Resolution CVIII of the Tenth Inter-American Conference;

i. Possibility of Revising the Bustamante Code or the Code of Private International Law: In Resolution XII of the Second Meeting of the Inter-American Council of Jurists the Inter-American Juridical Committee is entrusted with the preparation of a comparative study of the provisions of the Bustamante Code, the Montevideo Treaties, and the rules set forth in the *Restatement of the Law of Conflict of Laws*, after consulting with the National Codification Commissions and groups dedicated to the study of private international law, as well as the foremost writers on the subject. This study was to be submitted to the governments so that they might have an opportunity to present their comments and observations with respect to the study and to the reservations that have been made to the Bustamante Code. After the expiration of a six-month period, the Committee was to prepare a report incorporating and considering all the elements it had obtained as a result of the contemplated consultations and the conclusions at which it had arrived. In accordance with the aforesaid Resolution XII of the Second Meeting of the Inter-American Council of Jurists, the Committee sent to the American governments, pursuant to its resolution of November 23, 1953, a comparative study prepared by the Delegate of Colombia and containing observations made by the Governments of Ecuador and the United States;

j. Aid and Rescue: This, among other subjects dealing with uniformity of legislation, was entrusted to the Committee in Resolution VII of the First Meeting of the Inter-American Council of Jurists. It is now pending study by the Committee;

k. Collision: The status of this topic is the same as that of the preceding one;

l. Rules Concerning the Immunity of State Ships: The pertinent information on this topic, which was also among those mentioned in Resolution VII of the First Meeting of the Inter-American Council of Jurists, has been collected and during the current year the Committee discussed a draft report on this subject; and

m. Uniform Law on the International Sale of Personal Property: In Resolution XIII of the Second Meeting of the Inter-American Council of Jurists, the Committee is entrusted with the preparation of a systematic study of this subject, taking into consideration the draft prepared by the Council at that meeting and the replies received in response to the request for an opinion on this matter. The only replies received were those of the Dominican National Commission for the Codification of International Law, the Ciudad Trujillo Bar Association, and the School of Law and Social Science of the University of Buenos Aires,

The Inter-American Juridical Committee

RESOLVES:

1. To close its 1955 session on this day.

2. To set June 1, 1956, as the opening date for its next session, which shall terminate on August 31, 1956.

3. To emphasize that, as stated in Resolution LI of the Tenth Inter-American Conference, held in Caracas, it is essential that the jurists selected to be members of the Committee devote themselves exclusively to the work of the Committee during the session.

4. To request that the Council of the Organization report the opening date of next year's session of the Committee to the governments of those states that were selected by the Caracas Conference to propose jurists for membership thereon; and that the Council also remind the afore-mentioned governments of the desirability of having the full participation of their representatives in the work of the Committee.

5. To transmit the text of this resolution to the Secretary General of the Organization of American States for his information and such use as he deems appropriate.

The preceding resolution was considered by the Council of the OAS, which on January 4, 1956, approved the following resolution on the matter:

WHEREAS:

The Inter-American Juridical Committee, in a resolution of November 21, 1955, has set the dates for its next regular period of sessions; and

In that resolution the Committee requests the Council to inform the governments of the States elected by the Caracas Conference to nominate jurists for membership on the Committee, of the opening date of its sessions in the forthcoming year, and to urge upon those governments the desirability of the full participation of their representatives in the activities of the Committee,

The Council of the Organization of American States

RESOLVES:

1. To take note of the resolution of the Inter-American Juridical Committee setting June 1, 1956, as the opening date for the next regular period of sessions and August 31, 1956, as the closing date.

2. To inform the Governments of Argentina, Brazil, Chile, Colombia, the Dominican Republic, Mexico, Peru, the United States, and Venezuela, through their respective representatives on the Council, of the opening date of the sessions of the Inter-American Juridical Committee and to urge upon those governments the desirability of the full participation of their representatives in the activities of the Committee.

Inter-American Cultural Council

OPENING DATE OF THE SECOND MEETING OF THE COUNCIL.—In accordance with a resolution[19] approved by the Council of the Organization on November 3, 1955, the Second Meeting of the Inter-American Cultural Council and the Second Inter-American Meeting of Ministers of Education are to be held in Lima, "the exact dates to be set in consultation with the Government of Peru." In taking this decision the Council took note of the desirability of coordinating the work of the above-mentioned meetings with that of the UNESCO Regional Conference on Free and Compulsory Education in Latin America, which also shall be held in Lima.

At the meeting of the Council of the Organization held February 15, 1956, the Representative of Peru informed the Council that, during discussions in Lima between the representatives of his government, the OAS, and UNESCO, it was agreed that the UNESCO Conference should open on April 23, 1956, and the two meetings of the OAS on May 3, 1956. The Council of the O ganization approved the latter date.

NEW MEMBER OF THE COMMITTEE F CULTURAL ACTION.—Under the date December 21, 1955, the Secretary of Fore Affairs of Haiti addressed a letter[20] to Acting Secretary General of the OAS, which he informed him that Mr. Jean Duv naud could no longer serve as a member the Committee for Cultural Action, as had been named to represent the Gove ment of Haiti in the Federal Republic Germany.

In accordance with the pertinent pro sions[21] of the Statutes of the Cultural Co cil, the Government of Haiti proposed panel of three specialists in educational a cultural matters, from which the Council the Organization could elect a successor Mr. Duvignaud. At the meeting of Janua 18, 1956, the Council of the Organizati selected Mr. Philippe Cantave from amo the proposed candidates.

Mr. Cantave was born in Port-au-Pri on October 19, 1909. After completing primary and secondary studies he enrol in the College of Law of his native ci where he received his law degree.

In 1942 he was named Vice Consul of Ha in Montreal, Canada, and from 1944 to 19 he was Consul General in Ottawa. Duri his residence in Canada Mr. Cantave studi pharmacy in Montreal and social scien economics, and political science in Ottav

He is an officer of the French Academ from which he received the *Prix de la Lang française* in 1933. He is also Secreta General of the French Alliance of Haiti a Honorary Vice President of the Hai Canada Committee.

[19] The complete text of the resolution appears in *Annals*, Vol. VII, No. 4, p 262.

[20] Document C-d-404, Pan American Union, December 1956.

[21] *Annals*, Vol. IV, No. 3, p. 251.

The Pan American Union— General Secretariat of the OAS

ction of a New Secretary General

At its meeting of January 16, 1956, the uncil of the Organization of American tes elected Dr. José A. Mora, Uruguay's bassador to the United States and Rep- entative on the Council, to the post of retary General of the Organization.

Dr. Mora took office at a special meeting the Council held on April 2, 1956. On this asion Dr. César Tulio Delgado, Represen- ive of Colombia and Chairman of the uncil, delivered an address tracing the olution of the Pan American movement l its culmination in the establishment of Organization of American States at the gotá Conference. The Chairman closed by lressing the following words to Dr. Mora:

Secretary General:

The Council has shown great wisdom in con- ing upon you the honor and the grave responsi- y of occupying the highest administrative tion of the Organization. The decorous manner which you represented your homeland before White House and your work as our colleague in Organization for more than five years, have wn us your many virtues—your honesty, your dence, your great love for Pan American ls. These many qualities ensure your success in r term of office during which you can count our devoted cooperation.

What we are endeavoring to do in this period is ive impetus to a program that is already ad- ced, a productive undertaking that has been, is, a collective effort, a joint enterprise of the ernments and the instruments of our inter- erican system whose plan it is, as your eminent lecessor Dr. Dávila said, to link our material spiritual forces together at last so as to build tter America, unhaunted by the spectres of ry or war.

n the new period of this great undertaking the eral Secretariat is being called upon, as one of egitimate duties, to play a role in the economic field similar to the role that was played by the old Pan American Union in the field of jurisprudence. For, although it is true that the preservation and strengthening of the peace has been achieved and means of settling disputes can be found in the clauses of perfect treaties, we have not as yet reached *terra firma* in the economic sphere, in spite of the fact that we have been gradually overcoming the dangers of the reefs and tempests that have heretofore hindered cooperation.

May you, Dr. Mora, be the captain who steers our economic ship to the port of American solidarity.

The new Secretary General responded as follows:

Mr. Chairman, Members of the Council:

It is with deep emotion that I thank Ambassador Delgado, the Chairman of the Council, for the kind words with which he has welcomed me on behalf of the Council. They are, above all, a manifestation of the noble spirit that lies behind them and of great generosity toward me, personally.

I assume the honorable duties of Secretary General of the Organization of American States with a feeling of profound responsibility. Before you, the representatives of the member governments, I solemnly promise to devote all my effort to advancing the work in behalf of all America that we look upon with pride today in the fullness of its development. We can never be over-vigilant in guarding the splendid heritage placed in our hands by the great men of America. Sixty-six years of vast achievement ensure this organization of sound maturity and potent development. The past is ennobled by the ideals of peace, union, and friendship that prevail among our peoples and acquire more vitality and creative power with each passing day. The present is represented by an international system through which we have obtained the precious guarantees of respect for the juridical equality, sovereignty, and territorial integrity of all States; of common action against any threat to the peace; and of the strengthening of our cooperative efforts to seek peaceful means of settling any controversy or dispute that may arise among our countries. In short, we are guaran-

teed that the economic, social, and cultural development of the American peoples will be in every way promoted. The future, the tomorrow, of our regional institution stands as a challenge to the men of today and to our capacity for developing the ability to carry out the historic mission of America.

Nothing could have afforded me greater satisfaction than the fact that at this time when I start my work the Charter of Bogotá, a document that has resulted from a true constituent assembly of the American republics, has been unanimously ratified. Previously, this same unanimity was achieved for the Rio de Janeiro Inter-American Treaty of Reciprocal Assistance. Both instruments are strong pillars of our edifice.

It is also gratifying to study the activities carried out by the Organization in connection with the problems of present-day America. This year, for example, we were called upon to put all the resources of international cooperation into motion. In Mexico City, in January, the Third Meeting of the Inter-American Council of Jurists, the principal advisory organ in problems of law, took care of juridical matters. At the end of this month three meetings of great importance will be held in the capital of Peru—the Second Meeting of the Inter-American Cultural Council, the Conference of Ministers of Education, and a joint meeting of the OAS and UNESCO. The Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters" has just adjourned in Ciudad Trujillo. It can be stated as a fact that a noble purpose—the achievement, insofar as possible, of unanimous solutions—obtained and triumphed in the capital of the Dominican Republic. This spirit is a reflection of a tradition that has been ingrained in America. Important standards bearing on the continental shelf, cooperation to achieve the optimum sustainable yield of the living resources of the high seas, and also on the interest of the coastal state in the continued productivity of these resources, were approved there. The conference recommended that the governments continue diligently with the consideration of pending matters. The technical studies of a scientific and economic nature that were brought to Ciudad Trujillo proved to be of great value and are to be given further study by the appropriate agencies of our inter-American system and by the governments, to which the Secretary General is to send the aforesaid studies. If it is decided that an Inter-American Oceanographic Institute will be established, the Council of the Organization will consider the measures that might be taken to establish it. If established, seat of this Institute will be in the locality that already been agreed upon, that is, in Ecuador territory. Thus, we should congratulate oursel on having successfully completed this stage of work, in accordance with the provisions set fo by the Tenth Inter-American Conference Caracas.

The Inter-American Economic and Social Co cil has been working all this while. Each d greater interest is being shown in its deliberati and studies because they indicate that an effor being made to attain goals and develop econo and social standards in accordance with the pow especially conferred upon that Council by Charter of Bogotá.

At this very moment preparations are be made for the Specialized Economic Conference be held in Buenos Aires. The topics on the age of this conference give great hope for the work be done there. The importance of this confere and the need of coming to it carefully prepa and with proper material for study may requ that new consultations be held before a defi date is set for this meeting. But we should forget that this conference has been discus since 1947, when the Treaty of Reciprocal sistance was signed at Quitandinha. Resolution of the Quitandinha Conference states that "E nomic security, which is indispensable for progress of all the American peoples is, at times, the best guarantee of political security of the success of their joint efforts for the ma tenance of continental peace."

In 1948, the Ninth International Conference American States, on its part, provided for the co vocation of the Specialized Inter-American E nomic Conference in the Argentine capital a entrusted the Inter-American Economic and So Council with making the preparations for it. cause the period of waiting for this conference been so long, the Organization has even grea responsibility for seeing that resolutions of s stance, such as will meet the needs of the Ameri peoples, result from it. It is plain that, in t day and age, primary attention is being given economic plans. The progress already achieved the field of political and juridical relations ca for like progress in achieving the economic so darity of the American countries. With respect this, Resolution LXV of the Tenth Inter-Americ Conference, held in Caracas, stated that member countries of the Organization sho have, as one of the basic objectives of continen solidarity, a close coordination of their econom

a sense of unity. Possibly the most important
k of the next few decades will be to endeavor
chieve these objectives. I feel confident that,
in the framework of good neighborliness, and
the spirit of cooperation characteristic of our
ntries, satisfactory formulae for achieving
end will be found. The aspiration of the
erican countries, which has often been ex-
ssed, is directed, without doubt, toward the
cluding of a general agreement on economic
peration that will recognize the interdepend-
e of the States in this field as it has been recog-
d with respect to political solidarity, and
blish basic standards permitting of the
elopment of long-term and increasingly closer
tions, with guarantees of permanency, to
ure constant growth in trade between, and the
gressive improvement in the well-being of, the
oles of this Hemisphere.

Moreover, the basis for the future progress of
Organization should be all inclusive and deal
every phase of inter-American relations. Our
nization should reflect all aspects of human
vity. Cooperation with all the specialized
nizations and any other institutions included
in the framework of the Organization should,
efore, be intensified. Thus, I appreciate the
portance of the work that is being done by the
American Institute of Geography and His-
, the Inter-American Institute of Agricultural
nces, the American International Institute for
Protection of Childhood, the Inter-American
mission of Women, the Pan American Sani-
Organization, the Inter-American Indian
itute, the Inter American Statistical Institute,
the Inter-American Defense Board, each of
h is carrying out specialized activities and
nding the basic objectives of our regional
munity to include man's various spheres of
n. I also appreciate the importance of the
k of other private and quasi-governmental
cies with which the Organization has con-
ed special cooperative agreements. Indeed,
y phases of our cooperative relations with the
ns of the United Nations in all these fields
ld, no doubt, be studied so that our common
vities may be better coordinated.

he Eleventh Inter-American Conference,
h is to be held in Quito in 1959, demands maxi-
preparation from this time forth so that this
erence will mark the beginning of a new and
t stage in the Pan American movement. We
t cooperate to the fullest to that end.

feel that the memory of the eminent persons
have preceded me in the forefront of the
General Secretariat will be highly propitious for me in the carrying out of my duties. The names of Leo S. Rowe, Alberto Lleras Camargo, and Carlos Dávila are a constant source of inspiration for the redoubling of faith in the Pan American ideal and for the performance of our daily tasks. Each of these men has helped in his own way to strengthen the union of American republics. Each had a sure vision for guiding the work of the Organization and making certain that it would be of greatest possible benefit to a strong America. Together with these men whose names I have recalled I should like also to mention that of Dr. William Manger who, for long periods, has acted with outstanding ability as head of the General Secretariat. I should also like to acknowledge the praiseworthy work of all the members of the staff of the Pan American Union in whom I have always encountered, throughout my years of activity in the Council and in international conferences, the most devoted spirit of cooperation.

To all I extend the warm hand of friendship; in all I place my highest hopes.

A short while ago, in my own country, I stated that it is impossible to embark upon any undertaking in America without a feeling of profound sympathy for its peoples, a sincere longing to understand and help them, an intimate knowledge of the difficulties with which they are faced, a spirit of tolerance, and a desire to approach them with the courage that seeks to bring concord where there is strife, and agreement where there are differences. And may I add that this sympathy and this spirit of understanding are sure keys to the heart of our America. Strengthened by these ideals, and in their service, I stand ready to carry out, with all enthusiasm, my work as Secretary General of the Organization of American States.

I should like at this time to request the members of the Council to convey my feeling of profound gratitude to all the American governments and my best wishes for the happiness and progress of their peoples.

Tribute to Dr. William Manger

At the meeting held January 18, 1956, the Council of the Organization expressed its appreciation to Dr. William Manger for his service to the Organization as Acting Secretary General, after Dr. Carlos Dávila's death, and approved the following resolution:

WHEREAS:

Dr. William Manger, Assistant Secretary General of the Organization of American States, has performed the duties of Acting Secretary General since October 19, 1955, when the Secretary General, Dr. Carlos Dávila, died; and

In the performance of these duties, as in the capacities of Assistant Director of the Pan American Union and Assistant Secretary General of the Organization, Dr. Manger has rendered exemplary service, showing the highest sense of responsibility and unselfishness, devoting his exceptional talents and experience to Pan Americanism,

The Council of the Organization of American States

RESOLVES:

1. To record the Council's deep appreciation of Dr. Manger for his extraordinary achievements in the Organization of American States in the various positions that he has held, particularly in the executive positions of Assistant Director of the Pan American Union and Assistant Secretary General and Acting Secretary General of the Organization.

2. To extend to Dr. William Manger renewed assurances of its utmost confidence and personal esteem.

Pension for the widow of Dr. Carlos Dávila

At the meeting held January 4, 1956, the Council unanimously approved a pension for the widow of Dr. Carlos Dávila, former Secretary General of the Organization.

The text of the resolution is as follows:

The Council of the Organization of American States,

HAVING SEEN:

The report[1] of the Finance Committee on the expenses incurred upon the death of Dr. Carlos Dávila and the pension due his widow,

RESOLVES:

1. To grant to Dr. Carlos Dávila's widow the sum of $12,000, to be paid in a single sum or in monthly installments, as she prefers.

2. To authorize the Pan American Union to pay the funeral expenses of Dr. Carlos Dávila, amounting to $1,732.62.

3. To authorize the Pan American Union to withdraw from the Working Capital Fund the amount of $13,732.62 to enable it to comply with this resolution, with the understanding that the budget for the next fiscal year will provide fo imbursement to the Fund.

Budget for 1956–1957

At the meeting held January 18, 1956, Council of the Organization approved budget of the Pan American Union for fiscal year 1956–57. The budget for this riod allotted the sum of $3,757,260 to c the expenses of the Pan American Union, $227,391 for the Inter-American Def Board, and $49,086 for repayment of vances from the Working Capital Fund

The report[2] of the Finance Committee this matter is printed below:

The Finance Committee has the honor to mit to the Council of the Organization of Amer States, with this report, the budget estimat the Pan American Union for the fiscal year be ning July 1, 1956, and ending June 30, 1957. appropriations covering the various chapter the budget, and the contributions of each me state for the above-mentioned fiscal year, shown in the attached resolutions. The bu estimates submitted by the Secretary Ger contemplated expenditures of $4,033,737, div as follows:

Pan American Union.....	$3,783
Inter-American Defense Board..	$234
Reimbursement to the Working Capital Fund.....	$15

The budget estimates of the Pan Amer Union include appropriations to cover the ex ditures of the Secretariats of the Inter-Amer Commission of Women, the Inter-American Ju cal Committee, the Committee for Cultural tion, and the Inter American Statistical Insti

The committee studied the requests of Inter-American Economic and Social Counci the creation of a Division of Technical Coop tion and the allocation of one specific item fo Special Committee on Bananas, and anothe supplement the item now included in the bu estimates for the Inter-American Economic ference to be held in Buenos Aires. These requ totalled $81,000. The committee also studied proposal of the Secretariat to raise the sal of the staff of the Pan American Union by

[1] Document C-i-289-E (Rev. 3), Pan American Union, January 4, 1956.

[2] Document C-i-291 (English) Rev. 1, Pan American U January 18, 1956.

valent of one step, at a cost of $99,000. The etary General also called attention, in para- h 15 of his Budget Message, to the urgent for replacing the heating equipment, install- ir conditioning, and making necessary repairs improvements in the Main Building of the American Union. He suggested for that pur- a loan of $150,000, payable in 1958 and 1959.

he document presented by the Secretary Gen- contains the work programs of the various de- ments and offices of the Pan American Union an explanation of the changes made and those osed in their activities and administrative nization. As prescribed by the regulations, rams and the corresponding budget estimates either discussed with the pertinent body or ared by it.

he Secretary General submitted his budget nates on October 14, and the Finance Commit- egan its study on October 25. During the 28 ings required to complete the study, the com- ee had, at all times, the effective cooperation r. William Manger, the Acting Secretary Gen- and the secretariat staff. The committee fol- d the established practice of hearing the ous department heads and other officers of the American Union, and the Executive Secretary he Inter-American Defense Board. It also re- ed the delegation appointed by the Inter- rican Economic and Social Council to present oints of view on the budget estimates for the artment of Economic and Social Affairs.

he committee, in its study of the budget esti- es of the Pan American Union for the next l year, considered the resolution approved by Council on January 19, 1955, assigning to it study of a plan in which consideration is n to the various possibilities of changing or inating the present system of reimbursement ational income taxes." On this matter, the mittee decided to recommend the plan that is ented in detail in the chapter on Common Costs. The Committee also decided to recom- d favorably the requests of the Inter-Ameri- Economic and Social Council and to attend he need of making repairs and improvements he Main Building of the Pan American Union. request for an increase of one step in the ies of the staff of the Pan American Union was in part.

s in former years, the Finance Committee en- ored to have the funds contributed by the rnments to the Pan American Union used as ntageously as possible in carrying out the programs planned by the governments themselves and the appropriate organs of the inter-American system.

The results of the committee's study can be expressed in financial terms by the following totals:

Pan American Union	$3,757,260
Inter-American Defense Board	$227,391
Reimbursement to the Working Capital Fund	$49,086

The changes in the budget estimates recommended to the Council by the Committee are shown on pages 152 and 153.

To facilitate the study of these changes, the Finance Committee hereby presents the following explanations to the Council:

Executive and Public Relations Offices

The committee recommends a total of $477,700 for this chapter, which includes the Offices of the Secretary General, the Assistant Secretary General, and Public Relations. No change was made in the amount requested for the first two offices. For the Office of Public Relations, the committee decided to reduce from $12,500 to $10,000 the item for the "Nations Series", under the section of Contractual Printing, and from $14,000 to $10,000 the item for the celebration of Pan American Day, under the section of Special Supplies and Services. Despite these reductions, the respective programs will continue along their present lines, with such adjustments as the Secretariat deems necessary.

With regard to the magazine *Américas*, the committee approved reductions in the items for Travel and for Special Supplies and Services, keeping them at the same amount approved for the current fiscal year.

Department of Economic and Social Affairs

The Finance Committee recommends for this department an item of $481,440, or $49,140 more than the Secretary General requested. The committee, in its study of this department, took into account the comments made by the Inter-American Economic and Social Council pursuant to Article 43 of its Statutes. The conclusions reached by the committee on each of the divisions of this department are as follows:

An increase of $35,000 is recommended for the Office of the Director, in view of the comments of the Inter-American Economic and Social Council with respect to the section of Special Projects and Activities. The Inter-American Economic and Social Council requested an increase of $20,000 in the item intended to cover travel and other expenses in connection with the Inter-American

Chapter	Secretary General (Estimates)	Finance Committee (Recommendations)	Chang
1. Executive and Public Relations Offices			
Personnel	$276,900	$276,900	
Travel	7,950	7,000	−$
Contractual Printing	128,000	125,500	−2,
Special Supplies and Services	74,000	68,300	−5,
	$486,850	$477,700	−$9,
2. Department of Economic and Social Affairs			
Personnel	$383,600	$402,250	+$18,
Travel	12,400	10,900	−1,
Contractual Printing	8,300	8,300	
Special projects and activities	28,000	60,000	+32,
	$432,300	$481,440	+$49,
3. Office of Statistics			
Personnel	$170,200	$170,200	
Travel	7,500	7,500	
Contractual printing	15,400	15,400	
Special supplies and services	800	800	
Special projects and activities	43,000	35,000	−$8,
	$236,900	$228,900	−$8,
4. Department of International Law			
Personnel	$225,445	$224,100	−$1,
Travel	5,000	4,000	−1,
Contractual printing	23,300	23,300	
Special supplies and services	12,855	11,600	−1,
Special projects and activities	3,000	3,000	
	$269,600	$266,000	−$3,
5. Department of Cultural Affairs			
Personnel	$399,700	$397,700	−$2,
Travel	11,400	9,600	−1,
Contractual printing	42,500	28,500	−14,
Special supplies and services	21,550	18,550	−3,
Special projects and activities	52,300	47,300	−5,
	$527,450	$501,650	−$25,
6. Department of Administrative Services			
Personnel	$519,100	$519,100	
Travel	2,900	2,400	−$
Special projects and activities	35,000	35,000	
	$557,000	$556,500	−$
7. Common Staff Costs	$814,000	$816,420	+$2,

Chapter	Secretary General (Estimates)	Finance Committee (Recommendations)	Changes
Common Services			
Communications	$32,100	$32,100	
Office supplies	23,000	23,000	
Duplicating supplies	80,000	75,000	−$5,000
Rental and maintenance of equipment	6,700	6,700	
Maintenance and operation of premises	69,300	64,300	−5,000
Other supplies and services	17,250	17,250	
	$228,350	$218,350	−$10,000
Permanent Equipment			
Office equipment	$40,450	$29,400	−$11,050
Transportation	1,500	1,500	
Alterations and improvements to premises	12,800	6,800	−6,000
Other equipment	15,000	11,200	−3,800
	$69,750	$48,900	−$20,850
Debt Service	$111,400	$111,400	—
Contingencies	$50,000	$50,000	—
Inter-American Defense Board	$234,311	$227,391	−$6,920
rking Capital Fund	$15,826	$49,086	+$33,260
Totals	$4,033,737	$4,033,737	

nomic Conference to be held in Buenos Aires. er a careful study the committee decided to ommend an increase of $10,000 in this item, ch, added to the $15,000 already contained in budget estimate, makes a total of $25,000. The er-American Economic and Social Council also uested that an item of $25,000 be allocated for research to be carried out by the Special mmittee on Bananas. The Finance Committee lied this suggestion, together with others re- ng to the establishment of three new posts: gram Specialist (Bananas) in the Office of the ector, this specialist to serve as Technical retary to the Special Committee on Bananas; gram Specialist in the Division of Economic earch to carry out the work in connection with lutions taken by the Inter-American Economic Social Council at its Fourth Extraordinary eting; and a Secretarial Assistant to assist the gram Specialists. After studying the various ects of the problem, the committee decided to ommend the inclusion of $25,000 to cover the enses connected with Resolution 33/54 on bananas and with other resolutions approved at the Fourth Extraordinary Meeting of the Inter-American Economic and Social Council. The establishment of a post of Program Specialist (Bananas), Class 3, in the Office of the Director is also approved, but two new posts requested for the Division of Economic Research are not included.

It is proposed that there be a reduction of $9,360 in the item for the Division of Economic Research, the amount requested for the above-mentioned posts of Program Specialist and Secretarial Assistant, and that the item for Travel be reduced by $600. Therefore, the two posts added to this division are provided by transferring two specialists formerly included in the Office of the Director.

In the Division of Labor and Social Affairs, the committee recommends a total reduction of $3,500: $500 in the item for Travel and $3,000 in that for Special Projects and Activities. In approving the latter reduction, it was felt that the Seminar on Social Affairs would not be affected and that the opening of the series of seminars on the

cooperative movement included in the work program of the department could be postponed.

The committee has made no changes in the sum of $46,800 requested in the budget estimates for the Division of Housing and Planning.

In the Travel Division, a reduction of $400 is recommended in the item for Travel.

In the Department of Economic and Social Affairs, an item of $28,000 is included for the new Division of Technical Cooperation, the establishment of which was requested by the Inter-American Economic and Social Council. This sum permits the establishment of five posts, namely: a chief; an assistant chief; a program specialist; and two secretarial assistants. If the amounts for the Retirement and Pension Fund and for allowances granted to the staff are added to that $28,000, the total item for this new activity is $34,500. In accordance with the standards and provisions of the regulations in force, the Secretary General will specify the classification of these posts in conformity with their respective duties. The establishment of this division is due to the increased interest of the governments in technical cooperation, to the need of standardizing the procedure for financing the technical and administrative secretariat services that the Pan American Union should furnish in this field, and, consequently, to the desire to relieve the funds allocated to the various projects of the Program of Technical Cooperation of this expense.

Office of Statistics

The committee recommends an item of $228,900 for this office. In the item for Special Projects and Activities, the General Secretariat requested $43,000 to undertake the preparatory work for the 1960 census of the Americas. The Finance Committee recognizes the importance of this activity and its great significance to the member states of the Organization, and therefore feels that it would perhaps be desirable to include it in the regular program of the Office of Statistics. This special project contemplates the contracting of program specialists in various fields in which the office already has specialized personnel. Of the above-mentioned sum of $43,000, originally $8,000 was intended for Travel, while in the regular budget of the office itself the sum of $7,500 is included for this same purpose. No change was made in the latter amount. Without attempting to point out ways of improving the coordination and integration of the special and regular activities of the Office of Statistics, the Finance Committee recommends a total of $35,000 for Special Projects and Activities, such activities to supplement, du the next fiscal year, the facilities and service the disposal of the office for carrying out the census of the Americas.

Department of International Law

The committee recommends an item of $26 for this department. No changes have been m in the amounts requested by the Secretary Ge for the Office of the Director of the Departm the Division of Law and Treaties, and the Div of Conferences and Organizations.

The committee has made a reduction of $2 in the item for the Secretariat of the Inter-Am can Juridical Committee. Although it has no been decided how the Secretariat will be organ under the new work plan of the committee, in cordance with which the latter will meet in reg session for only three months each year, it is t hoped that savings will thereby be effected in expenses of that Secretariat.

The item for travel expenses requested for Secretariat of the Inter-American Commissio Women, to attend the session of the Un Nations Commission on the Status of Women, reduced by $1,000.

Department of Cultural Affairs

The committee approved an item of $501 for this department. In the Office of the Direc the committee proposes a reduction of $4, $2,000 in the item for Extra Assistance and O time, $600 in the item for Travel, and $1,400 in item for Special Supplies and Services. The $2 that the committee approved for Extra Assist and Overtime, should be used first for the tran tion of the studies of the Committee for Cult Action that cannot be done in the Pan Amer Union.

The amount recommended for the Secreta of the Committee for Cultural Action is the s as that requested. The increase in the numbe posts from five to six is due to the transfer of research specialist from the Office of the Direc

The sum recommended for the Division of E cation is $205,000, or $10,000 less than the amo requested. A reduction of $500 was made in item for Travel and another of $9,500 in the i for Contractual Printing. In this latter secti $1,500 remains for the publications of the "Bib teca Panamericana del Maestro", since some the proposed studies can be published in the ma zine *La Educación*. With respect to the publicat of *La Educación*, the committee feels that balance of the item of $12,000 approved for t

vity in the current year will be sufficient to t the cost of publishing the four numbers ıned for the forthcoming fiscal year. The Fi- ce Committee therefore recommends that this ance be placed at the disposal of the Secretary eral at the end of the current fiscal year, so t he may use it for the publication of the above- tioned numbers. As a result of the foregoing, sum of $8,000 requested by the Secretary Gen- was not included.

For the Division of Philosophy, Letters and nces, the committee recommends total reduc- s of $10,800. The items for Travel, Special plies and Services, and Contractual Printing the same as those for the current year. The mittee did not approve the proposed increase 4,500 for publishing the *Inter-American Review Bibliography* outside the Pan American Union, ause it considers the printing done within the on to be satisfactory. In the section for Special jects and Activities, the committee did not rove the item of $3,000 requested for the slation and publication of representative ks of American literature and thought. The mittee took into account the fact that this vity is carried out pursuant to Recommenda- 25 of the Meeting of the Oas-Unesco Joint mittee on Coordination, held in 1953, in ac- dance with which the agreement was to be ctive, on an experimental basis, for three years. ppears desirable to examine the results of this vity at the expiration of that period. Also, the mittee did not approve an item of $2,000 for section, requested for a Seminar on Social nces that it felt could be held at another time. The committee approved the establishment of w post of librarian, class 5, in the Columbus norial Library, as requested by the General etariat, to improve the service and cope with increased demand for library services. The mittee made a reduction of $1,000 in the item Special Supplies and Services, thus keeping amount the same as that approved for the ent fiscal year.

Department of Administrative Services

The sum recommended by the committee for department is $556,500, or $500 less than the unt requested. This reduction leaves the el item for the Publications and Distribution sion at $2,000.

The creation of a post of records officer is recom- ded for the General Services Division to main- the uniform filing system already established n expert in that field. Funds have been approved for three new posts in the Buildings and Grounds Division, in order to permit better preparations for special functions at the Pan American Union and the cleaning of its main building.

Common Staff Costs

The item recommended for this chapter totals $816,420. The most important changes are due to the modifications proposed in the system of reimbursement of national income taxes and to salary adjustments for the staff.

Under the present system, the Pan American Union reimburses the staff members who are citizens or permanent residents of the country in which the Pan American Union has its seat for the amount of the national income tax. The funds for this reimbursement are taken from the General Fund of the Pan American Union, in which the contributions of all the member states of the Organization are deposited. On the basis of the resolution approved by the Council on January 19, 1955, and as a result of study of the proposal made by the Secretary General in his Message, the Finance Committee decided to recommend the adoption of a plan with the following basic features:

a) The establishment of a Fund for Tax Equalization, Family Allowance, and Redistribution to Member States;

b) The granting of an allowance for the payment of national income taxes and a family allowance; and

c) The reduction of the contributions of the member states that do not tax the official compensation of staff members.

This plan would be carried out as follows:

1. The amount of the Fund for Tax Equalization, Family Allowance, and Redistribution to Member States shall be equivalent to the total amount of the national income tax that the staff members of the Pan American Union would have to pay the government of the country in which the Pan American Union has its seat if they were citizens of that country and had no dependents.

2. Staff members who are citizens or permanent residents of the country in which the Pan American Union has its seat shall receive from that Fund a sum equivalent to the amount of the national income tax that they would have to pay if they had no dependents. The dependency deductions to which they are entitled constitute the family allowance.

3. Staff members who are not citizens or permanent residents of the country in which the

Pan American Union has its seat and who have dependents will receive an allowance equivalent to the deduction in the national income tax granted by the government of that country for such dependents.

4. The remainder of the Fund will be credited to the member states that do not tax the official compensation received by the staff members of the Pan American Union, in the same proportion as the contributions set in the respective fiscal year for the above-mentioned states for the support of the Pan American Union.

This new plan accomplishes several objectives. The interests of the member states of the Organization are taken into consideration and the mandate given the committee by the Council in the resolution of January 19, 1955, is fulfilled. While the government of the country in which the Pan American Union has its seat continues to receive taxes on the official compensation of staff members who are citizens or permanent residents of that country, the other states obtain benefits from the fund in the form of credits that will be applied to reduce the amounts that they pay on account of their contributions. It is estimated that at the end of the year, under present conditions, the remainder of the fund to be distributed among the states might amount to $100,000. This amount will be distributed among the states that do not tax the official compensation of the staff members of the Pan American Union, in the proportion in which they contribute to the support of the Union. It should be mentioned that this distribution will not begin until after the plan has been in operation for one year; therefore its cost during this first year will be greater than in those which will follow. The plan also benefits staff members with dependents, since they receive, in addition to their basic salaries, an allowance equivalent to the deductions granted for such dependents by the state in which the Union has its headquarters. The benefit to the staff members is due to the following circumstances:

a) Under the existing system the tax allowance is based on the actual amount which the individual is expected to pay on the compensation received from the Pan American Union, regardless of the number of his dependents. As a consequence, the net or take-home pay of a staff member without dependents is the same as that of a staff member with dependents.

b) Under the new plan proposed by the Finance Committee, staff members will receive an allowance based on the number of dependents. This is equivalent to a family allowance and places the staff members on an equitable basis.

As an alternative to changing the system o imbursement of national income taxes, the Se tary General in his Message proposed a gen increase of eight per cent in the salaries of the s of the Pan American Union. The Finance Com tee decided in favor of changing the system o imbursement of taxes, because it considered the interests of the Organization would be served in this way and the mandate given the c mittee by the Council in the afore-mentic resolution of January 19, 1955, would be fulfil During the consideration of the matter, the c mittee decided that the contributions to Retirement and Pension Fund should be compu on the basis of the net salary of the employees is done at present, and not on the adjusted g compensation, as was originally proposed in Message of the Secretary General. This decisio the committee reduced the total cost of the submitted by the Secretary General by appr mately $51,000.

The committee decided to include in the buc that it is now submitting to the Council approval an item equivalent to an increase of c half step in the salaries of all the staff memb taking the following main considerations account in its decision:

a) The change made by the committee in salary adjustment plan submitted by the Se tary General resulted in savings of $51,000.

b) The Secretary General proposed, du the discussions, a one-step increase in the s ries of the employees, equivalent to $99,000.

c) The family allowance plan recommen above benefits 60 per cent of the staff of the American Union, the rest receiving no bene

d) International organizations in this co try and the Government of the United St have recently granted salary increases owing the rise in the cost of living.

e) The Pan American Union has granted general salary increases since 1952.

The cost of the half-step recommended by committee is $49,500, that is, a little less than savings obtained from the decision to compute contribution to the Retirement and Pension F on the basis of the net salary. The committee a approved the Secretary General's request tha new class, between the present classes 2 and 3, created in the basic salary scale, thus facilitat the recruitment of personnel in the higher cla and offering the present staff greater opportuni for advancement. This change does not require increase in the amount of this budget....

Because of the committee decisions, the item National Income Tax that has been appearing

budget of the Pan American Union is elimi-
d from the chapter on Common Staff Costs.
item is included in the amount of $479,060
is allocated for the new plan recommended by
committee. When the committee decided in
r of the change in the present system of in-
e tax reimbursement and against the alterna-
proposal for a general salary increase of
per cent presented by the Secretary General
s Message, the items for Adjustment of Salary
e and Gross Compensation and Internal As-
nent Plan were also eliminated from this chap-
Lastly, an item of $49,500 for the half-step
y increase recommended by the committee in
preceding paragraphs is included.

Common Services

he committee approved an item of $218,350
his chapter. The reduction of $10,000 in the
int requested is due to a $5,000 decrease in the
licating Supplies item, made in view of the
ability of not making any further increases
e items for the celebration of Pan American
, the cost of which has been increasing, and to
her reduction, in a like amount, in the item
Maintenance and Operation of Premises.

Permanent Equipment

he total for this chapter has been fixed at
00. The committee reduced the item for
e Equipment from $40,450 to $29,400. This
not prevent the purchase of the necessary
pment recommended by a firm of manage-
experts for the work of the Publications and
ribution Division. It also reduced from
00 to $6,800 the item for Alterations and
rovements to Premises, and from $15,000 to
00 the item for Other Equipment. This last
will be used primarily to make the Hall of the
ricas suitable for the holding of Council
ings.

Necessary Repairs and Improvements in the Main Building of the Pan American Union

he Secretary General presented, in para-
h 15 of his Message, a plan for necessary re-
s and improvements in the Main Building of
Pan American Union. The pertinent sen-
es in the Message read:

An engineering survey recently made of the
ain Building reveals that the heating system,
w 45 years old, is in need of replacement. It
s not only passed the normal period of ser-
ce, but it is distinctly antiquated, uneconomi-
cal to operate, and in danger of breaking down at an inopportune time. The engineers also recommend that summer air conditioning be installed for the offices and meeting rooms of the Main Building, and that the heating and cooling systems be combined and installed as a unit. The survey further reveals that a number of the doors and windows and their frames, particularly on the second floor of the Main Building, have deteriorated to such an extent that they need to be replaced.

The total estimated cost of these two projects is $150,000—$110,000 for the air conditioning system and $40,000 for the doors and windows. In view of the fact that the draft budget for 1957 submitted herewith is substantially higher than the one approved for 1956, no item has been included for these two projects. At the same time, they are urgent and should be undertaken as soon as possible. As an alternative to making provision for these projects in the 1957 budget, and as both are in the nature of capital improvements, it has occurred to me that it would be quite appropriate to spread the cost over a period of more than one year. In this event, I should like to suggest that authorization be given to the Secretary General to arrange to finance the cost of improvements to the premises by borrowing not more than $150,000 at the prevailing interest rates to be repaid at the rate of $75,000 principal in each of the fiscal years 1958 and 1959.

In view of the foregoing, the committee feels that there is a very pressing need for this project and points out the close relationship between the above-mentioned repairs and the new heating and air conditioning system proposed. The resolution submitted separately to the Council for consideration indicates the procedure that, in the opinion of the committee, is most suitable for carrying out the project. The necessary funds are provided as follows: $33,260 from the reductions made by the committee in the budget estimates, and the remainder from a loan of not more than $120,000 that the Secretary General may contract.

Debt Service

The sum of $111,400 shown in this chapter covers amortization of loans from the Retirement and Pension Fund of the Pan American Union and the American Security and Trust Company.

Contingencies

The item of $50,000 allocated to this chapter is the same as that approved for 1955–56.

Inter-American Defense Board

The committee recommends an appropriation of $227,391 for the expenses of the Inter-American Defense Board. The $6,920 decrease in the amount requested is based on reductions that the committee believes can be made in the following items: Temporary Assistance, $500; Contracts (Guard and Garden Services), $800; Hospitality, $1,000; Equipment Maintenance, $500; Office Supplies and Services, $500; Improvements to Premises, $500; and Contingencies, $1,120. This last reduction is due to the desirability of estimating the item for Contingencies on the same percentage—approximately 1½—as that on which the corresponding item for the Pan American Union is based. On the other hand, the committee recommends that the item for Other Equipment be increased from $1,000 to $2,000 for the purpose of speeding up the replacement program for unserviceable transcription and recording machines, at the same time economizing in the item for maintenance and repairs.

Summary

Amount of budget estimates submitted by the Finance Committee	$4,033,737
Deduction for Miscellaneous Income, applied to reduce assessments	103,309
Total assessments of the member states	$3,930,428

The contributions have been determined in accordance with the formula approved by the Council, according to which the contribution of each state should be in the same relative proportion as in the scale of contributions to the United Nations, also taking the following two factors into account: no state shall contribute more than 66 per cent of the total contributions of member states; and no state shall be assigned an amount whereby its per capita contribution shall exceed that of the largest contributor.

Conclusion

As a result of the detailed recommendations in this report, the Finance Committee hereby submits the following draft resolutions to the Council for consideration:

Draft resolution on appropriations.
Draft resolution on contributions.
Draft resolution on an appropriation for improvements in and repairs to the Main Building of the Pan American Union.

At the same meeting of January 18, 195[illegible] the Council approved the following resol[illegible] tions, proposed in the preceding report.

I

The Council of the Organization of Americ[illegible] States

Resolves:

1. To appropriate the amount of $3,984,651 meet the expenditure for the fiscal year endi[illegible] June 30, 1957, and the amount of $49,086 for rei[illegible] bursing the Working Capital Fund as follows:

Chapter	Amou[illegible]
1. Executive and Public Relations Offices	$477,7[illegible]
2. Department of Economic and Social Affairs	481,4[illegible]
3. Office of Statistics	228,9[illegible]
4. Department of International Law	266,0[illegible]
5. Department of Cultural Affairs	501,6[illegible]
6. Department of Administrative Services	556,5[illegible]
7. Common Staff Costs	816,4[illegible]
8. Common Services	218,3[illegible]
9. Permanent Equipment	48,9[illegible]
10. Debt Service	111,4[illegible]
11. Contingencies	50,0[illegible]
Total, Pan American Union	$3,757,2[illegible]
12. Inter-American Defense Board	227,3[illegible]
Total	$3,984,6[illegible]

Reimbursement to Working Capital Fund:

To meeting expenditures of the Inter-American Peace Committee in the case involving Guatemala, Honduras, and Nicaragua, and those made by the Council of the Organization, acting provisionally as Organ of Consultation, and its Investigating Committee in the case involving Costa Rica and Nicaragua $15,826

To meet part of the expenditures relating to the

installation of a heating and air conditioning system and to the necessary repairs to and improvements in the Main Building of the Pan American Union	33,260	49,086
Total		$4,033,737

2. To authorize the Secretary General to transfer credits as follows:

a. From appropriation Chapter 11, Contingencies, to other chapters, and to use them to meet unforeseen requirements.

b. Between chapters of the budget, provided that the transfers do not exceed five per cent of the total appropriation for the chapter from which the credit is taken. The transfers that exceed five per cent may be made with the approval of the Finance Committee. The Council shall be notified of all transfers in a special report at the end of the fiscal year.

c. Up to $15,000 from the Working Capital Fund in order to meet the cost of issuing a larger number of copies of the periodicals for which there is an increased demand, and the reprinting of other publications, the supply of which is being exhausted by sales. It is understood that the Working Capital Fund will be replenished by depositing the receipts from the sale of such publications, and that an accounting for this fund will be included in the annual report rendered to the Finance Committee.

II

The Council of the Organization of American States

RESOLVES:

1. That the scale of assessments and the contributions of the member states for the maintenance of the Pan American Union for the fiscal year ending June 30, 1957, shall be as follows:

COUNTRY	PERCENTAGE	AMOUNT
Argentina	7.49	$ 294,389
Bolivia	0.31	12,184
Brazil	7.52	295,568
Chile	2.07	81,360
Colombia	2.57	101,012
Costa Rica	0.25	9,826
Cuba	1.88	73,892
Dominican Republic	0.31	12,184
Ecuador	0.31	12,184
El Salvador	0.38	14,936
Guatemala	0.44	17,294
Haiti	0.25	9,826
Honduras	0.25	9,826
Mexico	4.82	189,447
Nicaragua	0.25	9,826
Panama	0.31	12,184
Paraguay	0.25	9,826
Peru	1.00	39,304
United States	66.00	2,594,083
Uruguay	1.08	42,449
Venezuela	2.26	88,828
Totals	100.00	$3,930,428

2. That the expenditures for the fiscal year ending June 30, 1957, be met as follows:

a. Contributions of the member states	$3,930,428
b. From miscellaneous income	103,309
Total	$4,033,737

III

The Council of the Organization of American States

RESOLVES:

To authorize the Secretary General to make the necessary arrangements for installing a new heating and air conditioning system and for making necessary repairs in the Main Building of the Pan American Union. For this purpose he is authorized:

a. To withdraw from the Working Capital Fund the amount of $33,260, the reimbursement of which will be made in the budget estimates for 1956–57;

b. To borrow up to $120,000, repayable within a period of not more than two years.

Report of the Committee on the Leo S. Rowe Pan American Fund for the Fiscal Year 1954–1955

Dr. Leo S. Rowe, who was Director General of the Pan American Union from 1920 until his death in 1946, bequeathed a legacy to the Pan American Union to establish a revolving fund for the granting of loans to Latin American students wishing to study in the United States, as well as to staff members of the Union.

The loans to students and professionals are granted to Latin Americans in the following categories:

1. Undergraduate students who are studying or who plan to study in institutions of higher learning to obtain a degree.

2. Graduate students who are doing or who plan to do professional or scientific work in universities or other institutions of higher learning.

3. Trainees of the United States Government who have established their need for supplementary aid.

4. Trainees of other governments, institutions, and organizations who have established their need for supplementary aid.

5. Other professionals, specialists, and researchers who are doing or who plan to do work in their respective fields.

The Council of the OAS administers the fund through a committee composed of four Council members and the Secretary General of the Organization, or their duly accredited representatives. The Treasurer of the Pan American Union is Treasurer *ex officio* of the fund.

At the Council meeting held March 7, 1956, the Committee on the Leo S. Rowe Pan American Fund submitted its report[3] for the period beginning July 1954 and ending June 30, 1955.

During the period mentioned the committee held 25 meetings, devoted for the most part to the consideration of loan applications, and gave particular attention to extending the benefits of the fund as much as possible.

As a result of these activities 60 loans ($34,580) were granted to students and professionals and 59 loans ($7,955) to employees of the Pan American Union. With these transactions the loans granted by the fund during its seven years of operation amounted to the following totals: 479 loans ($247,971.71) to students and professionals; and 182 ($49,760) to employees of the Pan American Union.

The 60 students and professionals who received loans in 1954–55 came from 17 Lat American countries and studied or work in 43 institutions, situated in 21 states ar the District of Columbia. The range of t fields of study is as follows: Agronomy, Architecture, 7; Economics and relate fields, 8; Education and related fields, 1 Engineering and Mechanics, 13; Geology, Law, 2; Medicine and related fields, 9.

[3] Document C-i-296 (Spanish), Pan American Union, March 7, 1956.

Report of the Retirement and Pensic Committee for 1955

At the meeting of April 19, 1956, t Council of the OAS considered the annu report of the Retirement and Pension Co mittee of the Pan American Union for t calendar year 1955, the text of which is follows:

TO THE COUNCIL OF THE ORGANIZATION C AMERICAN STATES:

The Retirement and Pension Committee h the honor to submit its annual report for the ye ended December 31, 1955. Comments of the co mittee with respect to the finances of the fund ar operation of the Retirement and Pension Pla will be found in the numbered paragraphs whic follow:

1. The book value of the assets of the fund no amounts to $2,841,312, an increase of $367,385 ov the previous year.

2. At the close of the year cash in banks ar savings and loan associations, together with t U.S. Government securities, was $1,047,948.

3. Book values of all bonds amount to $1,413,78 as against market values of $1,407,293.

4. Book values of common and preferred stoc amounting to $666,452 have market values totalir $1,295,442. In common with the general increase i market values, this part of the portfolio showed substantial paper profit. Investments in commc stocks of corporations constitute approximate 20 per cent of the fund's assets based upon cos

5. During the year, real estate notes in t amount of $64,000 were acquired bringing the tot to $132,121.

6. Outstanding loans to employees secured b their retirement accounts were $10,172 more tha at the close of the preceding year and the numbe of such loans was increased from 165 to 175.

7. Long term receivables due from the Pa American Union, other than those secured by re estate, were reduced during the year by $100,00

lue to the payment of the regular annual installment.

8. The amounts of personal and office credits nd the number of employees participating in the lan at the beginning of the year and at the end, y agencies, were:

Agency	Beginning		End	
	Number	Amount	Number	Amount
Pan American Union	385	$1,725,190	356	$1,987,453
Inter-American Institute of Agricultural Sciences	42	122,436	50	158,025
Pan American Sanitary Bureau	5	58,390	5	66,664
Inter-American Defense Board	27	35,699	26	49,861
Pan American Institute of Geography and History	13	9,312	16	13,619
Inter-American Indian Institute	9	2,273	8	1,793
Totals	481	$1,953,300	461	$2,277,415

9. With a view to providing more appropriate benefits to nonpermanent staff members of those agencies participating in the Retirement and Pension Plan, the committee made arrangements whereby employees in this category could have the advantage of a Provident Plan which was arranged through use of the savings facilities offered by the Retirement and Pension Plan. The accounts of 20 persons on the payrolls of projects of the Program of Technical Cooperation of the Organization of American States were transferred to the Provident Plan with the approval of their employing agencies as of July 1, 1955.

10. Regular savings accounts of staff members in the fund showed a slight gain in number and increased from $92,995 to $109,575.

11. The rate of return on investments remained approximately the same as last year, being about four per cent per annum. Aside from this, there was a net gain of $61,345 from the sale of securities.

12. Currently the fund is committed to a minimum interest rate on participants' retirement accounts of three per cent per annum. However, due to the favorable current rate of return on investments, a substantial gain realized on the sale of securities, plus the amounts accruing to the fund because certain employees did not complete the required service, additional credits were available which permitted the committee to supplement the regular interest to employees and annuitants of the Pan American Union by 1½ per cent on June 30th and 4½ per cent on December 31st.

13. The General Reserve was increased by $26,630 thus bringing it to $182,281. This reserve is accumulated to meet contingencies which may occur in the operation of the plan. These contingencies include such things as unusual investment losses, unfavorable mortality experience, and additional costs due to retirement for disability.

14. One staff member of the Pan American Union retired during the year bringing the total number of current annuitants to 18. Annuitants were paid $38,917. This included $13,526 resulting from available earnings in excess of the amount required to meet commitments using the basic interest rate.

15. The accounts of 45 employees were liquidated during 1955 because of separation from service.

16. In addition to the assistance given by Pan American Union officials and employees without cost to the fund, the services of the following were utilized:

Actuaries and pension consultants—The Wyatt Company

Investment counsel—John C. Legg and Company

Auditors—Price Waterhouse and Company

Custodian of securities—American Security & Trust Company; and The Treasury of the United States (service gratis)

17. During the course of the year, the Retirement and Pension Committee completed its study on participant loans and issued revised regulations. In consideration of the improvements adopted by the Council of the Organization since 1946, the committee also reprinted the Retirement and Pension Plan, in English and Spanish.

18. At the instigation of the representative of the staff on the Retirement and Pension Committee, the Advisory Board to the Staff Committee engaged in a detailed study of the Retirement and Pension Plan and made a report which will be considered by the Retirement and Pension Committee as well as the pension consultants now examining the plan and its operation. The consultants are expected to complete their work and submit a report during the first half of 1956.

19. Appended are financial statements showing the status of the fund on December 31, 1955, and the results of its operations for the year together with the opinion of the independent auditors. A list of the stocks and bonds held as of the end of the year is also appended.

Inter-American Specialized Conferences

Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters"

DATE AND REGULATIONS OF THE CONFERENCE.—At the meeting of January 4, 1956, the Council of the Organization took cognizance of a note from the delegation of the Dominican Republic and approved the date suggested by it, March 15, 1956, as the opening date for the Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters", to be held in Ciudad Trujillo, Dominican Republic.

At the same meeting the Council considered a report of the Committee on Inter-American Conferences on the above conference and approved a resolution transmitting the draft regulations contained in the report to the governments of the member states for their comments. The resolution reads as follows:

> The Council of the Organization of American States,
>
> HAVING SEEN:
>
> The report on the draft regulations of the Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters", submitted by the Committee on Inter-American Conferences,
>
> RESOLVES:
>
> 1. To request the representatives on the Council to transmit to their respective governments the draft regulations of the Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters" so that they may have an opportunity to present their observations thereon.
>
> 2. To set the meeting to be held on February 15, 1956, as the one at which a decision on the aforesaid draft regulations will be taken.

At the Council meeting held February 15, some minor modifications in the draft regulations for the conference were suggested by the delegation of the United States. By unanimous consent these were referred to the Committee on Inter-American Conferences for incorporation in the draft regulations.

On February 24, the Council held a special meeting during which it considered matters relating to the Specialized Conference and at that time approved the Regulations for the conference, as submitted by the Committee on Inter-American Conferences.

INVITATIONS TO SEND OBSERVERS.—Resolution XXXIX of the Ninth International Conference of American States provides that the Council of the OAS has the authority to invite "Inter-American Specialized Organizations, international organizations not part of the Organization of American States, and governments not members thereof, [to] attend Inter-American Specialized Conferences. . . . " In view of this, the Council, at the special meeting held February 24, 1956, approved proposals to extend invitations to the Pan American Institute of Geography and History and the Inter-American Tropical Tuna Commission to send observers to the Specialized Conference to be held in the Dominican Republic. Also, at the special meeting of February 29, the Council agreed to invite the Permanent Commission for the Exploitation and Conservation of Marine Resources of the South Pacific (composed of representatives of Chile, Ecuador, and Peru) to participate in the conference through an observer.

In the course of the special meeting held March 7, the Council considered notes from the governments of France and the Netherlands, expressing an interest in the conference on the continental shelf and marine waters, and agreed, unanimously, to invite these countries to send observers to the conference. At the same time, it authorized

the General Committee to consider, in consultation with the host government, similar requests from any other countries having possessions in the Hemisphere.

Transmittal of Documents to the Conference.—In accordance with the suggestion in Resolution XIV of the Third Meeting of the Inter-American Council of Jurists, the Council of the OAS, at its meeting of February 24, approved a resolution transmitting the Council of Jurists' Resolution XIII[1] and related documents, to the Specialized Conference on the continental shelf and marine waters. The resolution of the OAS Council reads as follows:

Whereas:

At the meeting of the Council of January 5, 1955, it was agreed to include in the agenda of the Third Meeting of the Inter-American Council of Jurists the topic "System of territorial waters and related questions: preparatory study for the Inter-American Specialized Conference to be called pursuant to Resolution LXXXIV of the Caracas Conference"; and

The Inter-American Council of Jurists, at its Third Meeting, held in Mexico, January 17–February 4, 1956, agreed in Resolution XIV to suggest to the Council of the Organization of American States that it transmit to that Specialized Conference—as the preparatory study that the Third Meeting was to prepare pursuant to topic 1.a of its agenda, "System of territorial waters and related questions..."—its Resolution XIII, "Principles of Mexico on the Juridical Régime of the Sea", and also the minutes of the sessions and committee meetings at which the subject had been considered during that Meeting,

The Council of the Organization of American States

Resolves:

To transmit to the Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters" the text of Resolution XIII, "Principles of Mexico on the Juridical Régime of the Sea", approved by the Inter-American Council of Jurists at its Third Meeting, together with the minutes and documents of those sessions and committee meetings at which the topic "Territorial waters and related questions..." was considered, as recommended in Resolution XIV, likewise approved at that Meeting.

[1] For the text of this resolution *see* pp. 134-35.

Resolutions of the Conference.—The Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters" met in Ciudad Trujillo, Dominican Republic, from March 15 to 28, 1956. It was attended by delegations from the following American countries: Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the United States, Uruguay, and Venezuela. Also present were observers from France, the Netherlands, Norway, the United Kingdom, the Inter-American Tropical Tuna Commission, and the Pan American Institute of Geography and History.

The Conference appointed three working committees: Committee I, the Continental Shelf; Committee II, Marine Waters; Committee III, General Matters.

The following resolutions, recommendations, and votes were approved:

I

Resolution of Ciudad Trujillo

The Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters",

Considering:

That the Council of the Organization of American States, in fulfillment of Resolution LXXXIV of the Tenth Inter-American Conference held in Caracas in March 1954, convoked this Inter-American Specialized Conference "for the purpose of studying as a whole the different aspects of the juridical and economic system governing the submarine shelf, oceanic waters, and their natural resources in the light of present-day scientific knowledge"; and

That the Conference has carried out the comprehensive study that was assigned to it,

-I-

Resolves:

To submit for consideration by the American states the following conclusions:

1. The sea-bed and subsoil of the continental shelf, continental and insular terrace, or other

submarine areas, adjacent to the coastal state, outside the area of the territorial sea, and to a depth of 200 meters or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the sea-bed and subsoil, appertain exclusively to that state and are subject to its jurisdiction and control.

2. Agreement does not exist among the states here represented with respect to the juridical régime of the waters which cover the said submarine areas, nor with respect to the problem of whether certain living resources belong to the sea-bed or to the superjacent waters.

3. Cooperation among states is of the utmost desirability to achieve the optimum sustainable yield of the living resources of the high seas, bearing in mind the continued productivity of all species.

4. Cooperation in the conservation of the living resources of the high seas may be achieved most effectively through agreements among the states directly interested in such resources.

5. In any event, the coastal state has a special interest in the continued productivity of the living resources of the high seas adjacent to its territorial sea.

6. Agreement does not exist among the states represented at this Conference either with respect to the nature and scope of the special interest of the coastal state, or as to how the economic and social factors which such state or other interested states may invoke should be taken into account in evaluating the purposes of conservation programs.

7. There exists a diversity of positions among the states represented at this Conference with respect to the breadth of the territorial sea.

-II-

Therefore, this Conference does not express an opinion concerning the positions of the various participating states on the matters on which agreement has not been reached; and

RECOMMENDS:

That the American states continue diligently with the consideration of the matters referred to in paragraphs 2, 6, and 7 of this resolution with a view to reaching adequate solutions.

II

TRANSMITTAL OF SCIENTIFIC AND ECONOMIC STUDIES ON THE CONTINENTAL SHELF AND MARINE WATERS

WHEREAS:

The governments of the states represented at this conference have presented many technic studies of a scientific and economic nature rela ing to the continental shelf and marine waters; an

These studies, because of their value and im portance, should be given full consideration b the technical agencies of the Organization American States and by the governments of th member states,

The Inter-American Specialized Conference c "Conservation of Natural Resources: The Co tinental Shelf and Marine Waters"

RESOLVES:

1. To forward the aforesaid technical studi to the Council of the Organization of America States, with the request that the Council tran mit them to the technical organs and Specialize Organizations of the Organization, such as th Inter-American Economic and Social Council an the Pan American Institute of Geography an History, so that the studies may be broadened t cover other regions or species of economic impo tance, as the case may be.

2. To request the Secretary General of th Organization of American States to send the tec nical studies also to the governments of the mem ber states of the Organization.

III

ESTABLISHMENT OF AN INTER-AMERICAN OCEANOGRAPHIC INSTITUTE

The Inter-American Specialized Conference o "Conservation of Natural Resources: The Co tinental Shelf and Marine Waters",

HAVING EXAMINED with great interest the dra resolution presented by the delegation of Panam on the establishment of a Commission on Oceano raphy and the draft resolution presented by th delegation of Mexico, and modified by the del gation of Ecuador, on the establishment of a Inter-American Oceanographic Institute, copie of which are appended,

RECOMMENDS:

1. That the Council of the Organization American States continue and expedite the studie on the possibility of establishing the Inter-Amer can Oceanographic Institute envisaged in Resolu tion LXXXIV of the Tenth Inter-American Con ference, to be devoted to scientific research givin preferential attention to the better knowledg and utilization of the living resources of the sea

2. That the Council of the Organization American States, if it decides to draft and subm to the governments of the member states for con sideration measures looking toward the establish ment of an Inter-American Oceanographic In stitute, consider the advisability of having it con

sist of a central agency and several regional centers. The central agency shall have as its function compilation of all existing data on the aforesaid resources, outlining of a general work plan, and coordination of the work of the regional centers and that of those national institutes that so desire. The regional centers shall carry out, in the geographical areas in which they are located, the plan outlined by the central Institute, and one concrete task will be to study the oceanographic problems of general interest, with preferential attention to the living resources of the specific areas with respect to certain species or for the study of any local biological, ecological, fishing, or other similar problems. These centers shall be created at the request of the member states or with their consent.

3. That the Pan American Institute of Geography and History continue the work of providing advice, encouragement, and coordination in matters relating to oceanography and the living resources of the sea that it has been carrying on, and that, after the new institution has been established, it cooperate therewith and continue encouraging the activities of the American countries in this field, avoiding duplication of effort and functions.

4. That the Pan American Institute of Geography and History be requested to propose a technical and administrative organization plan for the Inter-American Oceanographic Institute, in accordance with the outline set forth in paragraph 2.

5. That, pursuant to Resolution LXXXIV of the Tenth Inter-American Conference, the Institute have its seat in the territory of the Republic of Ecuador; and

URGES:

The governments of the member states to consider the possibility, within their budgetary limitations, of establishing oceanographic research centers that, in addition to providing direct services to the respective countries, will facilitate the future work of the proposed Inter-American Oceanographic Institute.

APPENDIX A

Draft resolution presented in Committee III by the Delegation of Panama

WHEREAS:

The natural resources of the seas and oceans of the American Continent constitute wealth of incalculable value, the rational exploitation and conservation of which should be encouraged by the states of the Continent;

This purpose requires scientific exploration and study of these seas and oceans by specialized agencies, with the assistance of all the American states;

The Pan American Institute of Geography and History, which is a technical Specialized Organization of the Organization of American States, has for more than a quarter of a century been conducting studies of a high scientific caliber and of practical efficacy in the fields of geography, cartography, and history, having performed—thanks to continental cooperation—operations of such far-reaching scope as the great triangulation surveys already completed;

The aforesaid Institute has had ample experience in the field of inter-American organization and cooperation; and

There is at present a Temporary Committee on Oceanography within the Institute,

The Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters"

RESOLVES:

1. To recommend to the Pan American Institute of Geography and History the establishment of a permanent commission on oceanography, which will organize and direct the scientific study of the American seas and oceans and their continental terraces and shelves.

2. That this commission study the desirability of establishing regional centers of oceanographic studies, and that in so doing it bear in mind Resolution LXXXIV of the Tenth Inter-American Conference (Caracas, 1954), with respect to the possibility of establishing a center of oceanographic studies in the Galápagos Islands (Ecuador).

3. That the work of the commission cover all aspects of oceanography, without overlooking the politico-geographic problems relating to continental terraces and shelves, and that the commission duly prepare proposals for the delimitation and demarcation between terraces and shelves of adjacent states.

APPENDIX B

Draft resolution presented in Committee III by the Delegation of Mexico and modified by the Delegation of Ecuador

WHEREAS:

The constant population growth in the countries of the American Continent makes it urgently necessary that the living resources of the sea be rationally exploited and utilized, in order to help raise the standard of living of the peoples; and

In order to achieve the greatest possible utilization and conservation of the resources of the sea, it is most useful to have a close inter-American cooperation that will make it possible to draft

plans for research and studies for the evaluation of these resources, studies based on uniform scientific data that will make due comparison thereof possible,

The Inter-American Specialized Conference on "Conservation of Natural Resources: The Continental Shelf and Marine Waters",

BEARING IN MIND:

That Resolution LXXXIV of the Tenth Inter-American Conference, held in Caracas in 1954, recommends to the Council of the Organization of American States the study of the possibility of establishing in the Galápagos Islands, an Inter-American Oceanographic Institute, with a view to obtaining a better understanding and utilization of the natural resources of the sea;

That it is desirable for such research to be carried out and evaluation made in certain regions or with respect to specific species, taking into account the particular features of their biological environment and its physical characteristics; and

That various countries of the American Continent have established centers for research on the living resources of the sea,

RECOMMENDS:

1. To the Council of the Organization of American States that, by the most suitable and efficacious means, it promote the establishment of the Oceanographic Institute provided for in Resolution LXXXIV of the Tenth Inter-American Conference, to be devoted to scientific research on the living resources of the waters that bathe the coasts of the member states of the Organization, with the purpose of contributing to the development, conservation, and safeguarding of those resources.

2. The Inter-American Oceanographic Institute shall consist of a central agency and several regional centers.

3. The central agency shall have as its functions the compilation of all existing data about the aforesaid resources, the drafting of the general work plan, and the coordination of the work of the regional centers and of those national institutes that so desire.

4. The regional centers shall carry out, in the geographical areas in which they are located, the plan outlined by the central Institute, and one concrete task will be to ascertain the location and amount of the living resources of the sea in specific areas, with respect to certain species or for the study of any local biological, ecological, fishing, or other problems.

5. These centers shall be created at the request of the member states or with their consent; and

URGES:

The governments of the member states to co sider the possibility, as far as their respectiv budgets will permit, of establishing oceanograph research centers that, in addition to providir immediate service to the respective countries, wi facilitate the future work of the proposed Inte American Oceanographic Institute.

IV

TRIBUTE TO THE MEMORY OF DR. PEDRO C. SÁNCHEZ

The Inter-American Specialized Conference c "Conservation of Natural Resources: The Co tinental Shelf and Marine Waters"

RESOLVES:

To pay a tribute of profound respect to th memory of Dr. Pedro C. Sánchez, the outstandi Mexican geophysicist, and illustrious Director the Pan American Institute of Geography an History; and to extend its deepest condolences t the Institute, the Government of Mexico, and th family of the late Dr. Sánchez.

V

VOTE OF APPRECIATION

The Inter-American Specialized Conference o "Conservation of Natural Resources: The Co tinental Shelf and Marine Waters"

RESOLVES:

1. To express to His Excellency General Hécto Bienvenido Trujillo Molina, President of th Dominican Republic, and to His Excellency Ge eralissimo Rafael Leonidas Trujillo Molina, th eminent Honorary Presidents of the Conferenc and through them to the Government and th people of the Dominican Republic, the profou gratitude and appreciation of all the delegatio for the fraternal welcome and the innumerab attentions and courtesies that have been accorde them during their stay in Ciudad Trujillo.

2. To extend a vote of thanks to His Excellenc Porfirio Herrera Báez, President of the Confe ence, for his cordial and able guidance of its de liberations, and for his tireless efforts in beha of harmony and understanding among all th American countries.

3. To record its appreciation to Ambrosi Alvarez Aybar, Secretary General of the Confe ence, and to all the officials and members of h staff, for their faithfulness and effectiveness i the performance of their duties, thereby contribu ing to the success of the Conference.

Fourteen of the delegations present i

sued statements setting forth their position with regard to the resolutions. These statements are printed below.

BRAZIL

The delegation of Brazil understands that the conclusions and the recommendation resulting from the over-all study made by the Conference, which are contained in the Resolution of Ciudad Trujillo, do not forejudge the nature of the common solutions the American states and the international community should find for the questions mentioned therein.

MEXICO

Statement prepared by the delegation of Mexico with respect to the Resolution of Ciudad Trujillo, to set forth the position of Mexico, and also the interpretation and the scope that the aforesaid delegation gives to the contents of that document, concerning the matters on which there has been disagreement:

1. There is no general rule in international law setting the extent of the territorial sea.

2. Each state has the right to set the extent of its territorial sea within reasonable limits, taking into consideration both the pertinent geographical, geological, biological, economic, and social factors, and the needs of security and defense.

3. The foregoing principle makes it possible to determine the juridical régime of the waters superjacent to the continental shelf.

4. The rights of the coastal state over the continental shelf extend to all animal and vegetable species that live in a constant relationship of physical and biological dependence with the shelf.

5. The coastal state has the right, if no agreement exists between the states concerned, to adopt the conservation and surveillance measures necessary for the protection of the living resources of the high seas adjacent to its coasts, on the basis of scientific data and applicable technical standards. The state will not act in such cases in an arbitrary or discriminatory manner.

The coastal state has, in specific cases, the right to the exclusive exploitation of the species closely related to the coast, to the life of the country, or to the needs of the coastal population.

The delegation of Mexico likewise states that, since the Conference did not go on record with respect to the positions of the various participating states on the matters on which an agreement was not reached, the position of Mexico has not been in any way affected, and every aspect of that position remains unchanged, in all its force and integrity, as has been stated unilaterally, collectively, or in resolutions of inter-American organs, especially in Resolution XIII in the Final Act of the Third Meeting of the Inter-American Council of Jurists, entitled Principles of Mexico on the Juridical Régime of the Sea.

COSTA RICA, CHILE, ECUADOR, AND PERU

The delegations of Costa Rica, Chile, Ecuador, and Peru declare that they have voted affirmatively on the resolutions, agreements, and recommendations adopted at this conference in the understanding that they do not alter in any way whatsoever their constitutional provisions, their national legislation, the agreements to which they are parties, or other collective international instruments they have approved.

GUATEMALA

The delegation of Guatemala desires to insert in the record that the rights recognized in the Resolution of Ciudad Trujillo as appertaining to the coastal states include, with respect to Guatemala, the whole territory of British Honduras.

EL SALVADOR

The delegation of El Salvador has voted affirmatively on the Resolution of Ciudad Trujillo because this document does not prejudice the rights of El Salvador to the continental terrace adjacent to its coast and to its territorial sea, which, as is well known, extends to a distance of 200 nautical miles measured from the low-water line, without thereby affecting the freedom of navigation in accordance with the principles accepted by international law, as expressly stated in Article 7 of its Constitution.

Although it is not explicitly stated in the resolution, it is implicit in the first of its conclusions that the portion of the continental shelf or continental terrace covered by the territorial sea of a state forms part of its territory and is subject to the juridical régime of that territorial sea. With that understanding, the delegation of El Salvador accepts paragraph 1 of the document as referring to the sea-bed and the subsoil of the continental shelf, continental and insular terrace, or other submarine areas adjacent to the coastal state, outside the area of the territorial sea.

In the opinion of the delegation of El Salvador, when the aforesaid paragraph 1 states that the sea-bed and subsoil of the continental shelf, continental and insular terrace, or other submarine areas appertain exclusively to the coastal state

and are subject to its jurisdiction and control, the sovereignty of the state over such submarine areas is recognized, because the delegation understands that the exclusive proprietorship of such areas, together with the right to exercise jurisdiction and control thereover, make up without any question the concept of sovereignty—in other words, because the delegation cannot conceive those elements to be compatible with the exercise of an alien sovereignty.

With respect to natural resources, the position of El Salvador is the same as the one it maintained in Mexico, namely, that the rights of the coastal state, with respect to the sea-bed and subsoil of the continental shelf or continental terrace appertaining to it, extend also to the natural resources found there, such as petroleum, hydrocarbons, mineral substances, and all the marine species, animal and vegetable, that live in a constant physical and biological relationship with the shelf, not excluding the benthonic species.

El Salvador maintains its constitutional provision of 200 miles of territorial waters, without claiming thereby that the same extent should be adopted by all the American states, since, according to the principle recognized in Mexico, each state is competent to establish its territorial waters within reasonable limits, taking into account geographical, geological, and biological factors, as well as the economic needs of its population and its security and defense.

In part II, the resolution states that no opinion has been expressed concerning the positions of the various states participating in this conference on the matters on which agreement has not been reached. These positions may be either individual or collective.

The delegation of El Salvador, in voting for this resolution, did so in view of the fact that it represents the minimum area of agreement among all the American states on these problems, but does not alter the individual or collective positions adopted by some of the states with respect to such problems.

COLOMBIA

Colombia has been maintaining that the problems related to marine waters and the continental shelf should be subject to an agreement between the American states. This endeavor is not impossible, for if in other very difficult matters, such as that of nonintervention, the American states succeeded in overcoming their differences and so uniting their opinion that today no one discusses or objects to the matter, there is no reason why a similar understanding may not be reached in matters relating to marine spaces. For this reaso Colombia has refrained, of late, from adoptii unilateral regulations, in the belief that they cou wait until a common American solution was foun This is also why Colombia thought that this Co ference would thoroughly study the afore-me tioned matters, in order to approve conclusio which would prove satisfactory to all the Con nent.

In the praiseworthy desire to bring about rapprochement among the various theses held t the American countries and to establish with pr cision what we might call areas of agreement ar disagreement, the system of meetings of chairm of delegations was adopted. Under these circur stances, which did not make it possible to consid the proposals clause by clause, or to introdu others, the delegation of Colombia refrained fro suggesting several juridical formulas that it ha studied.

Of course, Colombia accepts the Resolution Ciudad Trujillo, which is in accordance with t purpose of seeking and reaching unanimous sol tions, points out with great pleasure the nob spirit of understanding that prevailed at the co ference, and emphasizes the importance of t policies adopted with respect to the continent shelf, international cooperation, and the speci interest of the coastal state in the continuing pr ductivity of the living resources of the high sea

At the same time, the delegation of Colomb expresses its sincere hope that the studies dea with in the final part of the resolution will be co tinued as soon as possible. Perhaps the Counc of the Organization of American States, on takir cognizance of this Final Act, might suggest suitable way to have such studies made.

The delegation of Colombia also notes tha prompt agreement on certain topics that the was no opportunity to study might be reache later. Thus, for example, the adoption of stan ards for the delimitation of the continental shelv of neighboring states does not appear to prese insurmountable obstacles. Moreover, such stan ards would be highly beneficial, since they wou prevent future controversies that might distur inter-American relations, just as matters concer ing land boundaries have disturbed them in t past. Likewise, the matter of the breadth of t territorial sea might be studied from new poin of view. In this respect one might consider t study of systems that, disregarding that ide would be directed toward protecting marir wealth, especially fisheries. The establishment of wide area contiguous to the territorial sea, whe

he rights of the coastal state to regulate fishing ithout arbitrary discrimination would be recogized, might be one of such systems. By means of his method, the coastal state would be effectively rotected, without having to link this protection o rules on the breadth of the territorial sea.

In view of the fact that a general agreement mong the American states on all these problems nay be delayed too long, Colombia will consider whether or not it is advisable to change its attiude of prudent waiting, and issue its own regulaions on certain matters. Naturally, in so doing, f it should do so, it would not fail to bear in mind he conclusions of this Conference.

UNITED STATES OF AMERICA

In view of certain statements made by other lelegations at the final plenary session of this onference on March 27, or inserted in this Final \ct, the delegation of the United States of \merica wishes to record the following statenents:

(*a*) The Government of the United States does not recognize a right on the part of a coastal state, as claimed by certain delegations, to exclusive control over the resources of the high seas. The United States maintains that, in accordance with international law, fishery regulations adopted by one state cannot be imposed on nationals of other states on the high seas except by agreement of the governments concerned. Moreover, the United States delegation also wishes to record the fact that it made a specific proposal for the conference which would, if adopted, effectively meet the conservation problem that would be posed in the event of failure of the interested states, including the coastal state, to reach agreement on the need for and application of conservation measures.

(*b*) The Government of the United States does not recognize that a state has competence to determine the breadth of its territorial sea apart from international law.

(*c*) The delegation of the United States also wishes to call attention to the fact that broader consideration having been given at this conference than at any previous inter-American meeting to the various aspects of the subjects on its agenda, the present Resolution of Ciudad Trujillo constitutes the latest and most authoritative expression of the Organization of American States on the subjects discussed therein.

CUBA

The delegation of Cuba has voted affirmatively on the Resolution [of Ciudad Trujillo] approved by the Conference for the following reasons:

1. The resolution recognizes the jurisdiction and control of the coastal state over the sea-bed and the subsoil of the continental shelf, the continental and insular terrace, and other submarine areas adjacent to that state beyond the limit of its territorial sea. In this sense, the resolution contains a principle of contemporary international law. Nevertheless, the recognition of this right does not in any way affect the status of high seas that the waters covering the sea-bed and subsoil of such submarine areas have and preserve. Likewise, the resolution does not forejudge whether specific living resources belong to the sea-bed or to the superjacent waters. In the opinion of the delegation of Cuba, which coincides with that of the International Law Commission of the United Nations, the living resources that do not come under the classification of sedentary or fixed (sessile) fisheries, belong to the superjacent waters and are subject to the juridical régime of the latter.

2. In the matter of the conservation of the living resources of the high seas, the resolution reaffirms the principle that international cooperation is the standard or most appropriate means of achieving the purposes of conservation. The resolution expresses the disagreement that arose at the conference with respect to the nature and scope of the special interest of the coastal state. In this respect, the delegation of Cuba also shares, in principle, the concepts and rules contained in the draft text on the subject approved by the International Law Commission during its Seventh Session (1955), as stated in detail in the course of its deliberations.

3. The resolution also expresses the existing disagreement among the American states as regards the breadth of the territorial sea. In this respect, the delegation of Cuba, in accordance with the opinion it has consistently upheld at all previous conferences, maintains that the question of the breadth and delimitation of the territorial sea is subject to the limitations of international law, and that it is not, therefore, a matter coming within the exclusive competence of the coastal state, as was declared by the International Court of Justice in the recent Anglo-Norwegian case on fisheries. Among these limitations there is one that the delegation of Cuba considers to be fundamental: that any extension of the territorial sea beyond the traditional limit, may not affect in any way whatsoever the historic fishing rights acquired by nationals of a third state, who uninterruptedly, from time immemorial, have devoted their lives to

this activity in the area of the high seas that such an extension covers.

4. Finally, part II of the resolution, which has been the subject of interpretation by certain delegations, does not, in the opinion of the delegation of Cuba, pose a problem of this kind. In effect, this part of the resolution does no more than state, in unequivocal and very precise words, that the first time that the American states have studied the problems relating to the utilization and conservation of the wealth of the sea, with a view to establishing an appropriate juridical régime—that is, in the light of all the scientific, technical, and economic factors involved, as charged by the Caracas Conference—they have expressly recognized the existence of disagreement with respect to paragraphs 2, 6, and 7 of the resolution, and that, because of that fact, they recommend that the study of such matters be continued with a view to reaching adequate solutions.

PANAMA

The delegation of Panama, imbued with a high inter-American spirit, and without reservations, has taken an active part in the many informal meetings held to draft the document on the continental shelf and continental terrace, the living resources of the sea, and marine waters that we have just approved, a document that, as can be readily seen, is, with some important changes, the draft originally presented by the United States for consideration by our governments.

The delegation of Panama believes that the unanimous approval of this instrument is a constructive step toward the affirmation of continental unity. We have arrived at affirmative formulas on the few points on which there was unanimous agreement, and we have postponed the solution of other matters with the frank recognition that there is a diversity of opinion or of interests that at present makes agreement without dissent impossible. This result is characteristic of the inter-American system, founded on respect for the opinion of each and every one of the member states of our great regional community.

The delegation of Panama hopes that our governments and peoples represented here will find in the near future suitable solutions to the matters that they should continue to study until formulas that can be accepted unanimously are reached. To realize this aspiration, we count on the spirit of continental unity that inspires us all and on the full knowledge of the position of every American state on these matters, which has been at least one result of recent inter-American co ferences or meetings.

URUGUAY

The delegation of Uruguay approves the Res lution of Ciudad Trujillo with the understandi that "the positions of the various participati states" upon which the Conference has not e pressed an opinion, to which part II (1) refe include both the positions taken by our delegati during this conference and those that our count has maintained or may maintain before or after i

VENEZUELA

At the beginning of this conference, the deleg tion of Venezuela issued a statement containi its points of view with respect to the topics on t agenda of this important meeting of represent tives of the American states. It was clearly stat therein that in taking part in the deliberations the topics that were to be studied, Venezue would be guided by a broad spirit of cooperatio Now that the conference is coming to a close, t delegation of Venezuela is pleased to affirm tha it has never changed its conciliatory sentiment which, moreover, were clearly and expressive displayed by the other delegations. In voting f the resolution, appropriately entitled Resolutic of Ciudad Trujillo, Venezuela understands tha the particular interests of the states were reco ciled in the interest of continental harmony; bu this fact does not entail the abolition of the bas principles of sovereignty or forejudge in any wa the criterion that might prevail in the solution the points on which there has been no agreemen as yet.

The Final Act was signed by representa tives of all the American states excep Haiti, which was not present at the closin session, and Bolivia, which did not send delegation to the conference. The Final Ac will be kept open at the Pan America Union for signature of those countries.

Inter-American Port and Harbor Confer ence[2]

REGULATIONS AND DATA OF THE CON FERENCE.—At its meeting of January 1 1956, the Inter-American Economic an Social Council considered the draft regula

[2] For the preparations for this conference see *Annals*, Vol. VI No. 4, pp. 265–67.

ions for the Inter-American Port and Harbor Conference, to be held in San José, Costa Rica, in 1956. After some discussion and slight modification, the regulations for the Conference were approved, by means of the following resolution (4/56):

WHEREAS:

The Inter-American Economic and Social Council voted, in Resolution 30/55, to submit to the governments of the member states for consideration the draft regulations of the Inter-American Port and Harbor Conference, a Specialized Conference to be held in San José, Costa Rica, some time during the first four months of 1956; and

The period set in the aforesaid resolution for the governments to present their observations has expired, and the observations received have been taken into account,

The Inter-American Economic and Social Council

RESOLVES:

To approve the appended Regulations of the Inter-American Port and Harbor Conference.

On February 15 the Council of the OAS set April 25, 1956, suggested by the Government of Costa Rica, as the opening date for the Conference.

RESOLUTIONS OF THE CONFERENCE.—In accordance with the above decision the Inter-American Port and Harbor Conference opened in San José, Costa Rica, on April 25, 1956. The conference was attended by delegations from Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru, the United States, and Uruguay. Observers were present from Argentina, Bolivia, Germany, and such national and international organizations as the Advanced School of Public Administration of Central America and the Technical Assistance Administration of the United Nations, American Association of Port Authorities, American Coffee Growers' Federation, Inter-American Council of Commerce and Production, International Cargo Handling Coordination Association, International House of New Orleans, International Labor Organization, National Academy of Sciences, Pan American Institute of Geography and History, and Pan American Sanitary Bureau. The Secretary General of the Organization of American States was represented by Mr. Paul E. Richers, Transportation Specialist of the Pan American Union.

Three working committees were established to deal with the various topics of the Agenda.[3] Committee I, on Port Administration, was assigned the study of topics 1, 2, and 5; Committee II, Port Operations, was assigned topics 3, 4, and 6; and Committee III, Port Development, was assigned topics 7 and 8.

At the closing session on May 3, 1956, the delegates approved the Final Act of the Conference, which contained the following resolutions.

I

CARGO LOSS PREVENTION

WHEREAS:

According to studies made by the Inter-American Economic and Social Council, approximately 50 per cent of the cost of maritime transportation of cargo is incurred through cargo handling and other port expenses;

The solution of problems of cargo loss prevention is of primary consideration to underwriters, local port bodies, government authorities, and business interests alike;

The Seventh International Conference of American States adopted Resolution XLIX recommending to the governments the inclusion in their respective penal laws of provisions concerning pilferage and theft of cargo in vessel freight holds or in places where the cargo is stored on the wharves; and

The Inter-American Maritime Conference of 1940 adopted Resolution IX which recommended that joint study be given to the need for more effective protection for cargo moving in foreign trade against damage in transshipment or loss,

The Inter-American Port and Harbor Conference

[3] The Agenda appears in *Annals*, Vol. VII, No. 4, pp. 265–67.

RESOLVES:

To urge the governments of the member states to encourage the development of effective methods of control in cargo loss prevention, including pilferage, theft, and damage.

II

PORT PRACTICES AND REGULATIONS

WHEREAS:

Standardized port practices and regulations applicable to all users of a port are necessary in order to expedite the movement of cargo through the port and speed the turn-around of the cargo vessel; and

The Inter-American Maritime Conference of 1940 adopted Resolution IX resolving in part to recommend that an over-all study be made on the need for greater uniformity of rules and regulations at the various ports, with particular reference to providing standard definitions for the various services rendered,

The Inter-American Port and Harbor Conference

RESOLVES:

To request the governments of the member states to encourage as much as possible the establishment of uniform port practices and regulations to cover all similar ports within each country, and without discrimination with respect to any user.

III

VESSEL ARRIVAL-AND-DEPARTURE PROCEDURES

WHEREAS:

The simplification of procedural requirements relating to vessel arrivals and departures will increase the efficiency of port administration;

The First Meeting of Ministers of Foreign Affairs adopted Resolution IV resolving in part to study the possibility, in accordance with their legislation, of reducing to a minimum sanitary and other formalities applied to the movement of goods between the American republics; and

The Sixth International Conference of American States resolved to recommend to the Governing Board of the Pan American Union that it convoke a meeting of experts to study the "means of eliminating unnecessary port formalities",

The Inter-American Port and Harbor Conference

RESOLVES:

To request the governments of the member states to reduce to a minimum procedures applied in connection with the arrival and departure of vessels.

IV

PORT RATES AND CHARGES

WHEREAS:

According to studies made by the Inter-Ame can Economic and Social Council, approximat 50 per cent of the cost of maritime transportati of cargo is incurred through cargo handling a other port expenses;

Low-cost port services, together with the co fidence generated by the uniform application port rates, are conducive to a greater flow cargoes and the increase of international trad

The Eighth International Conference of Ame can States adopted Resolution XLIX recogniz that excessive port dues and charges unnecessar increase the cost of transportation;

The Third Meeting of Ministers of Forei Affairs of the American Republics resolved recommend to the governments that, insofar possible, they take the measures necessary minimize expenses at ports of call, such as p dues and lighthouse charges, etc.;

The Inter-American Conference for the Mai tenance of Peace adopted Resolution XLIII e titled "Barriers to Maritime and Fluvial Co munications" in which it resolved to recomme to the American governments that they "redu existing barriers and charges, on a basis of exa reciprocity, including maritime or fluvial tra portation, in order not to hinder the transit persons and commodities and to promote P American commercial interchange";

The Inter-American Conference on Proble of War and Peace adopted Resolution XLVIII r solving that the problems concerning the develo ment and the efficient and integrated use of inte American transportation facilities be fully studi at the Technical Economic Conference, and th the problem of reduction of existing transport tion restrictions, especially dues, charges, a other imposts which obstruct inter-Americ transportation, receive special attention; and

The Inter-American Maritime Conference 1940 adopted Resolution IX resolving to reco mend that an over-all study be made on the ne for greater uniformity of port dues and charg under similar conditions,

The Inter-American Port and Harbor Co ference

RESOLVES:

To recommend to the governments of the mem ber states that:

1. They encourage improvement in the a ministration and operation of port facilities, i

cluding the furnishing of port services at the lowest possible cost to users consistent with efficient service and the necessity of adequate financing; and

2. They take the appropriate steps necessary to insure that established port charges affecting the cost of cargoes moving in international trade be assessed on a uniform basis at each port and without discrimination with respect to any user.

V

Compilation of Port Statistics

Whereas:

Complete and comparable port statistics are necessary for efficient port development and administration;

Efforts have been made by the Inter-American Economic and Social Council, the Inter American Statistical Institute, and the United Nations to establish an adequate statistical system to provide appropriate statistical data on port activities of the American countires;

It is essential to adequately define which statistics should be included among port statistics;

The exchange of information among the American countries regarding progress and experience in the field of port statistics is vital;

The Sixth and Eighth International Conferences of American States, and also the Inter-American Maritime Conference of 1940, made recommendations that consideration be given to the means of improving and making more uniform the existing statistics relating to international movement of vessels, as well as their cargoes and passengers; and

The Meeting of Ministers of Finance or Economy as the Fourth Extraordinary Meeting of the Inter-American Economic and Social Council, held in 1954, adopted Resolution 30/54 requesting the Inter-American Economic and Social Council to undertake the necessary studies to establish and make more uniform maritime statistics in the Americas,

The Inter-American Port and Harbor Conference

Resolves:

1. To support the work that is being done by the Inter-American Economic and Social Council, the Inter American Statistical Institute, and the United Nations to establish an adequate system of port statistics in the American countries.

2. To recommend to the Inter-American Economic and Social Council that it request the Inter American Statistical Institute to continue the studies which it has started, with the purpose of defining which statistics should be considered as port statistics and to establish a port statistical system, adequate and uniform, for all the American countries. This system should be adequately coordinated with the studies and recommendations made by the United Nations, with the purpose of obtaining comparability of such statistics among the nations of the world.

VI

Compliance with Regulation 2 of the World Health Organization

The Inter-American Port and Harbor Conference

Resolves:

To recommend to the governments of the member states that they put into force regulation 2 of the World Health Organization.

VII

In-transit Storage and Cargo Handling

Whereas:

Port congestion impedes the free flow of cargo through the port, creating costly ship delays and a resultant chain of economic losses;

The efficient utilization of transit terminal facilities at the port speeds the movement of cargo to final destination; and

Technological advances in cargo unitization, as reflected in the development of containers, pallets, and similar devices, make possible the more expeditious handling of cargo from the producer to the consumer, with minimum losses due to damage and pilferage,

The Inter-American Port and Harbor Conference

Resolves:

To recommend to the governments of the member states that:

1. They avoid congestion by limiting the use of storage warehouses established as facilities for the deposit of merchandise that is being imported or exported solely to the period required for carrying out customs procedures, after which time a storage rate should be charged that is substantially higher than that which is current or customary in the locality;

2. They encourage more efficient cargo handling and delivery of cargo to final destination; and

3. They exempt from duty and from port charges receptacles, pallets, and other devices used to enable merchandise to be more easily handled and transferred.

VIII

IMPROVED PORT OPERATING EFFICIENCY

WHEREAS:

Efficient and economic port operations are dependent upon maximum labor productivity, modern equipment, and efficient administrative procedures,

The Inter-American Port and Harbor Conference

RESOLVES:

To recommend to the governments of the member states that, in order to improve port efficiency and to reduce costs, they promote the adoption and use of the cargo handling practices and equipment shown by experience in ports of recognized efficiency to be the most effective.

IX

HANDBOOKS ON PORT SAFETY PRACTICES

The Inter-American Port and Harbor Conference

RESOLVES:

To recommend to the Inter-American Economic and Social Council, to the International Labor Organization, and to other international organizations that they cooperate in:

a. Coordinating the dissemination of information on safety practices through the preparation of handbooks and posters containing instructions on the work procedures and methods to be followed in ports so that industrial hazards may be avoided; and

b. Organizing safety councils or similar agencies in the ports.

X

ESTABLISHMENT OF FREE TRADE ZONES

WHEREAS:

The establishment of free trade zones is one means of increasing foreign trade to a given region; benefits a country's merchants, manufacturers, and farmers; and facilitates cargo-handling procedures and results in reduced costs,

The Inter-American Port and Harbor Conference

RESOLVES:

To recommend to the governments of the American states that free trade zones for the storage of cargo be established in regions where suitable conditions prevail.

XI

ADEQUATE CHANNEL AND BERTH DEPTHS

WHEREAS:

The efficiency of port administration is con
tioned upon proper channel maintenance; a

The Eighth International Conference of Ame
can States resolved to commend the improvemer
in port facilities which had been made and to ur
the governments insofar as possible to impro
facilities for the handling of vessels and the
cargoes,

The Inter-American Port and Harbor Confe
ence

RESOLVES:

To recommend that the governments of t
member states encourage the maintenance of ad
quate channel and alongside depths, based up
minimum low water datum, to provide access
vessels normally engaged in each country's inte
national trade.

XII

ADEQUATE PORT FACILITIES

WHEREAS:

The efficiency of port administration and oper
tion is dependent upon adequate port facilitie
and

The Eighth International Conference of Ame
can States resolved to commend the improvemer
in port facilities which had been made and to ur
the governments insofar as possible to impro
facilities for the handling of vessels and their ca
goes,

The Inter-American Port and Harbor Confe
ence

RESOLVES:

To recommend to the governments of the mer
ber states that they continue to take the nece
sary steps to encourage the establishment of ad
quate port facilities (piers, wharves, sheds, re
facilities, marginal streets, and off-terminal sto
age), for expeditious, efficient, and economic
handling of the volume and type of cargoes mo
ing in international trade.

XIII

INCREASE IN PORT AND HARBOR STUDIES

The Inter-American Port and Harbor Confe
ence

RESOLVES:

To recommend that the governments of t
member states promote the study of port ar

harbor matters, including the establishment of university chairs in this field.

XIV

EXCHANGE OF TECHNICAL INFORMATION FOR PORT AND HARBOR DEVELOPMENT

WHEREAS:

The exchange of information and reports on experiences among port and harbor authorities and organizations can help to a great extent in better planning and operation of port and harbor facilities in the American countries; and

It is of great importance, in the preparation of long-term plans, to take advantage of the most modern technical advancements, so as to prevent the construction of port and harbor installations that might become prematurely inadequate for future needs,

The Inter-American Port and Harbor Conference

RESOLVES:

To recommend to the port and harbor authorities of the member states that, when they are planning the construction of new port and harbor installations or the improvement of existing installations, insofar as it is possible, they request the technical cooperation of national and international organizations, both public and private, concerned with promoting the scientific development of port and harbor activities.

XV

PERMANENT TECHNICAL COMMITTEE

WHEREAS:

Experience has shown that the establishment of permanent committees to promote the implementation of resolutions of technical conferences has been of material benefit in facilitating further action;

The resolutions passed by the Inter-American Port and Harbor Conference are of major significance and will, if properly implemented, have far-reaching effects in increasing the efficiency of port administration and on the operation of the facilities for cargo handling, which would result in low-cost port services and the stimulation of greater trade between the member states; and

It is desirable that a permanent, technically-qualified group be organized to carry out the decisions of this conference and to study the specific measures necessary for a continuing program of improvement and development of ports and harbors in the Western Hemisphere,

The Inter-American Port and Harbor Conference

RESOLVES:

1. To create a Permanent Technical Committee attached to the Inter-American Economic and Social Council of the Organization of American States. This committee shall have, with the assistance of the Pan American Union, the specific function of promoting the implementation of the resolutions of the Inter-American Port and Harbor Conference. The committee shall act within the resolutions of the conference.

2. The committee shall be composed of specialists representing the governments of seven countries, which shall be designated by the conference by a simple majority of votes.[4]

3. The representation of each one of the seven governments shall be composed of a delegate and an alternate, designated by the respective governments, which may replace them at will by so notifying the Pan American Union.

4. Membership on the committee shall be for the period extending until the next conference, if any, and, in the absence of a second conference, shall extend for a period to be determined by the Inter-American Economic and Social Council.

5. The quorum for meetings of the committee shall consist of four of the designated representatives, or their respective alternates in the absence of the principals.

6. To request the government of each country to appoint a technical coordinator, or a coordinating agency, to serve as liaison between its ports and the committee.

7. The specific authority and functions of the committee shall be as follows:

a. To adopt the measures it considers advisable to promote compliance with the resolutions of the Inter-American Port and Harbor Conference and for the best attainment of the purposes indicated therein;

b. To promote, subject to approval by the Inter-American Economic and Social Council, technical meetings on existing conditions of the ports and harbors of the Hemisphere;

c. To draft the agenda of any succeeding Inter-American Port and Harbor Conference, which is to be submitted to the Inter-American Economic and Social Council pursuant to Article

[4] The countries chosen by the conference were Brazil, Colombia, Costa Rica, Cuba, Peru, the United States of America, and Uruguay. Uruguay was elected to preside over the committee.

94 of the Charter of the Organization of American States; and

d. To suggest to the Inter-American Economic and Social Council such modifications as it may deem necessary in the regulations of any future Inter-American Port and Harbor Conference.

8. The studies, reports, and draft resolutions prepared by the Permanent Technical Committee shall be sent to the Inter-American Economic and Social Council, which will make them known to the governments as promptly as possible.

9. The chairman, or in his absence any other member of the Permanent Technical Committee, if also appointed as a delegate to the conference by the government concerned, shall serve as rapporteur at the plenary sessions of succeeding conferences, if any, to give information on matters within the purview of the Permanent Technical Committee.

10. The government of each American state shall have the right to present material, information, and suggestions to the Permanent Technical Committee.

11. The Permanent Technical Committee shall meet at least once each year—provided the matters to be considered so require—at the Pan American Union or in the country of the chairman, if he so decides. Should the chairman suggest another country, the question shall be decided by a majority vote of the committee members.

12. Once the conference has designated the seven countries which are to constitute the Permanent Technical Committee, the chairmen of the respective official delegations shall meet in order to elect the country which is to assume the chairmanship.

13. Decisions of the committee shall be taken by majority vote. Each member shall have one vote.

14. This resolution shall be transmitted to the Council of the Organization of American States for the purposes indicated in Article 39 of the Statutes of the Inter-American Economic and Social Council.

15. The chairmen of the delegations of the seven countries selected by this conference to constitute the committee shall act provisionally as the representatives of their governments on the committee until the respective delegates and alternates are appointed by means of a communication addressed to the Pan American Union.

XVI

RECORDS OF DELIVERY AND LOSS-AND-DAMAGE LIABILITIES

WHEREAS:

Without adequate delivery records it is impossible to determine liability for loss of and damage to cargoes; and

Unless an agency knows its liabilities, it must make excessive cost estimates, with adverse results on the movement of commerce,

The Inter-American Port and Harbor Conference

RESOLVES:

To recommend to the governments of the member states the encouragement of cargo handling practices whereby adequate records will be kept concerning any loss of or damage to cargo, as it passes from one to the other of the various agencies involved in the cargo handling, so that they may serve in determining the liability of each agency for loss of or damage to cargoes.

XVII

MARKING AND PACKAGING OF UNITS

WHEREAS:

It is desirable to facilitate port service procedures by the adoption of other measures in addition to the construction of suitable port installations and the improvement of working methods in ports;

The proper marking of export units, as well as adequate packaging and methodical ship stowage are factors facilitating port services; and

Responsibility for expediting port services rests not only with the owners of the merchandise to be exported with respect to clear and concise marking and to packaging of units, but also with shippers with respect to stowing and unstowing units,

The Inter-American Port and Harbor Conference

RESOLVES:

To recommend to the governments of the member states that they urge both the owners of merchandise to be exported and shippers to adopt the following practices:

1. The marking of units to be exported should be made with indelible, bright-colored ink capable of withstanding the effects of friction and humidity, and the inscription should contain only information essential to identify the unit, such as marks and countermarks, unit number, port of unloading and the respective country, point of destination, weight, and, when necessary, a leg-

end indicating the nature of the contents (fragile, poisonous, explosive, acid, oxidant, etc.).

2. It is essential that export packaging be strong enough to withstand maritime transportation conditions without being damaged.

3. When goods small in weight and volume are being shipped, those bearing identical markings should, insofar as possible, be combined and put into the same package.

XVIII

STUDY OF METHODS OF STOWING AND UNSTOWING CARGO IN PORTS

The Inter-American Port and Harbor Conference

RESOLVES:

To recommend to the Permanent Technical Committee that it request the International Labor Organization, or any other organization considered by the committee to be competent, to make a study on the handling of cargo while it is being stowed or unstowed and, on the basis of the above-mentioned study, to recommend the adoption of the most efficient practices to be followed in order to avoid injuries and accidents resulting from strenuous exertion during the performance of this type of work.

XIX

ESTABLISHMENT OF CUSTOMS BONDED WAREHOUSES FOR IMPORTED MERCHANDISE

WHEREAS:

The system of customs bonded warehouses offers in many cases an effective and relatively economic means of relieving port congestion by permitting the establishment of facilities where imported merchandise can be stored in places outside the port area before the payment of customs duties,

The Inter-American Port and Harbor Conference

RESOLVES:

1. To recognize the advantages that can be obtained in ports of the Hemisphere by means of legislation permitting the establishment of customs bonded warehouses in places outside the port areas.

2. To recommend that the governments of the member states that have not already done so consider the advisability of utilizing this system as an effective and relatively economic means of relieving port congestion.

XX

REFERENCE DOCUMENTS

WHEREAS:

A large number of reference documents have been submitted to this conference, some of which have not served as a basis for draft resolutions; and

The reference documents which have not served as a basis for draft resolutions are, nevertheless, exceptionally worthwhile,

The Inter-American Port and Harbor Conference

RESOLVES:

To transmit to the Permanent Technical Committee for consideration the reference documents which have been submitted to this conference and have not served as a basis for draft resolutions, so that the committee may study them and submit to the Inter-American Economic and Social Council such recommendations as it deems pertinent.

XXI

DECLARATION OF SAN JOSÉ

WHEREAS:

The improvement, extension, and linking together of all classes of transportation to provide safe, adequate, and efficient service at reasonable cost are essential to the acceleration of the economic development of the member states and for the raising of the standard of living of their peoples;

This question has been considered by many inter-American conferences and has been the subject of special attention by the Inter-American Economic and Social Council;

The attractiveness of a port for ships and shippers depends upon whether its physical conditions and port requirements permit efficient and rapid handling of vessels and cargoes; and

It is timely and appropriate to bring together a declaration of principles setting forth the desirable goals in the field of development, administration, and operation of ports in the Americas,

The Inter-American Port and Harbor Conference

APPROVES the following declaration of principles, which shall be known as the "Declaration of San José":

I. Equal treatment of vessels

In order to promote the availability of shipping services to the commerce of the world, each member state shall endeavor to grant to the vessels

of every other member state, both in its own maritime ports and in the maritime ports under its control, the same treatment as it accords to similar vessels of its own which are engaged in international commerce, including the use of such ports and freedom of access thereto, as well as the full benefits of navigation and commercial operations for vessels, their cargoes and passengers.

II. Promulgation and publicizing of laws, regulations, duties, and taxes

When adopting laws, rules, or regulations affecting shippers, shipowners, consignees, and other participants in port and harbor operations, the member states should set a reasonable time limit after the expiration of which the said laws, rules, or regulations will enter into force, and that they should publicize through handbooks, leaflets, and similar means the said laws, rules, or regulations.

III. Port labor

The governments should recognize the desirability of decasualization of port personnel so that a stable and experienced pool of personnel may be established and maintained.

IV. Vessel admeasurement

With a view to achieving maximum uniformity, the governments should recognize the desirability of general agreement upon a simple system of measuring the tonnage of vessels for the purpose of assessment of charges.

V. Port formalities

The governments should agree to promote, by all available means, the streamlining of requirements for the entrance and clearance of vessels and to take every step compatible with efficient operation to expedite the movement of cargoes through customs in order not to negate the benefits resulting from the improvements in port facilities and in ship capacities, speeds, and equipment.

VI. Port development

The American republics should consider as essential to their economic needs the development, modernization, and efficient utilization of their ports and harbors and endeavor to promote the port programs necessary to meet the present and future requirements of their respective economies.

VII. Exchange of information

The governments should consider the desirability of an increase in the exchange of information with respect to ports and inland waterways which may be of use to trade and navigation, particularly with regard to the initial reports concerning cargo, mail, and passenger statistics, as well as to port development.

VIII. Cargo loss prevention

In order to prevent loss of cargo by fire, pil ferage, deterioration, and other similar causes the governments should undertake to review suc laws, regulations, or other rules as may be appli cable, with a view to reducing such losses to minimum.

IX. Port charges and assessments

Each member state should recognize the de sirability of reducing as much as possible existin charges and assessments in order not to hinder th transit of vessels, persons, and commodities, i either maritime or fluvial transportation. With view to achieving this goal, it is desirable that periodic review be made by the member govern ments of their port charges and assessment against vessels and cargoes, in order to alleviat these charges on the export and import of com modities and thereby to promote trade betwee the American republics.

X. Reduction of documentary requirements

The member states should recognize the ad visability of initiating and carrying out periodi reviews of documentary requirements for vessel and their cargoes, with a view to reducing to minimum and making as uniform as possible suc requirements and thereby relieving shipping ac tivities of all data requirements not actuall necessary to meet the provisions of laws, regu lations, and rules.

XI. Equality of treatment on inland transportatio facilities

The member states, in order to avoid non compliance with the principles laid down in Ar ticle I regarding equality of treatment of vessel of all nations engaged in international commerce should endeavor to grant equal access to all othe means of transportation for articles imported o to be imported in vessels of the member states

XII. Free ports—free trade zones

Each member state should encourage the de velopment of free ports or free trade zones a centers of distribution in those places which, be cause of their privileged geographic situation an existing or easily developed means of communica tion, may appear to be most advantageous for suc centers.

XXII

VOTE OF APPRECIATION

The Inter-American Port and Harbor Confer ence

RESOLVES:

1. To express its deep gratitude to Mr. Jos Figueres Ferrer, President of the Republic o

Costa Rica, for the hospitality of the Government and people of Costa Rica and for the many attentions and courtesies that were extended to the visiting delegates at all times.

2. To congratulate Mr. Jorge Rossi Chavarría, Minister of Economy and Finance of the Republic of Costa Rica and President of the Conference, on the efficiency and tact with which he conducted the proceedings of the conference.

3. To thank Mr. Alfredo Povedano, Secretary General of the Conference, the staff of the General Secretariat, all the officials and employees of the conference, and the repesentatives of the press and radio, for their valuable cooperation, which so effectively contributed to the success of this conference.

4. To extend a vote of thanks to the Secretary General of the Organization of American States, to his representative, Mr. Paul E. Richers, and to the staff members of the Pan American Union, for the excellent assistance they rendered toward making the conference a success.

Second Inter-American Meeting of Ministers of Education[5]

Regulations and Date of the Conference.—On January 18, 1956, the Chairman of the Committee on Inter-American Conferences reported to the Council of the OAS that the governments of the member states had suggested no changes in the draft regulations for the Second Inter-American Meeting of Ministers of Education, which had been submitted to them for comment. In view of this, the Council approved the following resolution:

The Council of the Organization of American States,

Having seen:

The report on the draft regulations of the Second Inter-American Meeting of Ministers of Education (Document C-i-290-E, Rev. 1), submitted by the Committee on Inter-American Conferences to the Council at the meeting held on December 7, 1955; and

Considering:

That the Council, in the resolution approved on the above-mentioned date, set the last meeting in January 1956 as the date for taking its decision on these draft regulations,

Resolves:

To approve the Regulations of the Second Inter-American Meeting of Ministers of Education, prepared by the Committee on Inter-American Conferences.

At the meeting held February 15, 1956, the Council approved May 3, 1956, the date suggested by the Government of Peru, as the opening date of the Second Inter-American Meeting of Ministers of Education, to be held in Lima, Peru.

Invitation to Canada.—On April 19, 1956, the Council discussed a note from the Representative of Peru stating that his Government wished to extend an invitation to the Government of Canada to participate in the Second Inter-American Meeting of Ministers of Education. Accordingly, the Council decided to invite the Minister of Education of Canada to attend the meeting.

Sixth Inter-American Travel Congress

Agenda and Regulations of the Congress.[6]—At its meeting of January 17, 1956, the Inter-American Economic and Social Council considered the draft agenda for the Sixth Inter-American Travel Congress, to be held in San José, Costa Rica, from April 12 to 22, 1956. A draft resolution approving this agenda was also presented at that time and after slight modification was adopted as Resolution 3/56, which reads as follows:

Whereas:

Pursuant to Resolution 31/55 and in compliance with Article 94 of the Charter of the Organization, a draft agenda of the Sixth Inter-American Travel Congress, which will be held in San José, Costa Rica, beginning April 12, 1956, was submitted to the governments of the member states; and

No observations that would modify the aforesaid draft agenda have been received from the governments, and the period set in the aforesaid resolution for the presentation thereof has expired,

The Inter-American Economic and Social Council

[5] For the background of this conference see *Annals*, Vol. VII, No. 4, pp. 267–68.

[6] For the background for this conference see *Annals*, Vol. VII, No. 4, p. 268.

RESOLVES:

To approve the attached agenda of the Sixth Inter-American Travel Congress.

The approved Agenda is printed below.

CHAPTER I

POLICY AND PLANNING OF TOURIST TRAVEL IN THE INTER-AMERICAN FIELD

1. Report of the Permanent Executive Committee on the Declaration on Principles of Tourist Travel discussed at Lima
2. Inter-American Travel Congresses:
   a. Report of the Permanent Executive Committee of the Inter-American Travel Congresses
   b. Report of the Permanent Secretariat
   c. Organization Plan of the Congresses
   d. Regional Travel Congresses. Fourth Inter-American Regional Travel Congress of the Gulf of Mexico and Caribbean Area, and others
   e. Coordination of activities with world travel agencies
   f. Designation of the member countries of the Permanent Executive Committee
   g. Seat of the Seventh Inter-American Travel Congress
3. Organizations interested in the development of inter-American travel:
   a. Permanent Executive Committee of the Inter-American Regional Travel Congresses of the Gulf of Mexico and Caribbean Area
   b. Permanent Executive Committee of the Pan American Highway Congresses
   c. Inter-American Federation of Automobile Clubs
   d. Inter-American Federation of National Associations of Travel Agencies
   e. Inter-American Hotel Association
   f. Pan American Railway Congress Association
   g. International Road Federation
   h. American Road Builders' Association (Pan American Division)
   i. Other organizations
4. Report of the official delegations on the action taken to put into effect the resolutions and recommendations of the Inter-American Travel Congresses

CHAPTER II

RESEARCH ON AND ORGANIZATION OF TOURIST TRAVEL

1. Report of the Technical Committee on Research and Organization
2. Travel statistics
   a. National
   b. International
3. National and local organizations for th promotion of tourist travel
4. International exchange of personnel engage in promoting tourist travel
5. Other topics

CHAPTER III

FACILITATION OF INTERNATIONAL TOURIST TRAVEL

1. Report of the Technical Committee on th Removal of Travel Barriers
2. Personal documents for tourist travel (pass ports, visas, tourist cards, identification card etc.)
3. Customs formalities
4. Facilities for obtaining foreign exchange fo purposes connected with tourism
5. Taxes levied on travelers and on the touri industry
6. Requirements having an adverse effect upo international passenger transportation in th Americas:
   a. By air
   b. By sea and inland waterways
   c. By highway
   d. By railroad
7. International conventions and agreements
   a. Convention concerning Customs Facilitie for Touring and the Additional Protoco relating to the Importation of Touris Publicity Documents and Material (Ne York, 1954)
   b. Customs Convention on the Temporary Im portation of Private Road Vehicles (Ne York, 1954)
   c. International Convention on Road Traffi (Geneva, 1949)
   d. Convention on the Regulations of Inter American Automotive Traffic (Washington 1943)
   e. Other bilateral and multilateral conven tions or agreements on special facilitie for tourist exchange and tourist travel i general
8. Other matters

CHAPTER IV

TRAVEL PLANT

1. Report of the Technical Committee on Travel Plant
2. Facilities and incentives for the develop ment of the hotel industry

3. Facts and figures on existing hotel accommodations:
   a. Present capacity and plans for expansion and improvement
   b. Facilities and incentives provided by the governments: customs facilities, extension of credits to hotels, subsidies, etc.
   c. Health, sanitation, water and food problems
   d. Special problems connected with the Pan American Highway System
   e. Possibilities for the establishment of motels and trailer camps
   f. Investment possibilities for foreign capital in the building or expansion of hotel establishments
   g. Organization of national hotel associations
   h. Hotel training schools; scholarships, etc.
4. Classification of lodging establishments
5. Adequate control of lodging facilities
6. Other matters

CHAPTER V

TOURIST-TRAVEL PROMOTION

1. Report of the Technical Committee on Tourist-Travel Promotion
2. Publicity, advertising, and public relations:
   a. Promotional publicity and that intended to make the public travel conscious; negative publicity
   b. Systems of cooperation
3. Economics and financing of tourist travel:
   a. Resources for tourist promotion
   b. Contribution of private enterprise
4. Travel agencies:
   a. Their role in the development of the tourist industry
   b. Regulation and control of their activities
   c. Facilities and incentives that should be provided by governments and private organizations
5. Transportation facilities. Special inducements to carriers engaged in tourist transportation
6. Highway and traffic problems
   a. The Pan American Highway System
   b. Highway tourist circuits
7. Social travel: Incentives and facilities for its development
8. Tourist travel by specialized groups: National and international conventions and assemblies
9. Travel for sport and exploration; pageants of interest to tourists; cultural activities
10. Methods and techniques for the analysis of the travel market
11. Technical cooperation for the development of inter-American tourist travel

At the meeting held February 23, 1956, the Economic and Social Council considered the draft regulations for the Sixth Travel Congress. After incorporating some changes suggested by the governments of the member states, the Council approved the Regulations by the following resolution (5/56):

> The Inter-American Economic and Social Council,
>
> HAVING SEEN:
>
> The draft regulations of the Sixth Inter-American Travel Congress, which will be held in San José, Costa Rica, in April 1956, the text of which was submitted to the governments of the member states pursuant to Resolution 32/55; and
>
> CONSIDERING:
>
> That the period set in the aforesaid resolution for the governments to present their observations has expired, and those received have been taken into consideration,
>
> RESOLVES:
>
> To approve the Regulations of the Sixth Inter-American Travel Congress and to transmit them to the governments of the member states, through their respective representatives on the Council.

At the same meeting of February 23, I-A Ecosoc approved a list of the organizations and associations to be invited to send observers to the Sixth Travel Congress.

On February 27, 1956, the Chairman of the Economic and Social Council addressed a communication to the Council of the OAS concerning the participation of Canada in the Sixth Congress. On March 7, 1956, the Council of the OAS agreed to authorize the Pan American Union to transmit the notice of convocation of that Congress to the Government of Canada.

Pan American Highway Congresses

FIRST MEETING OF THE TECHNICAL COMMITTEE ON PLANNING.—This meeting, which took place in Rio de Janeiro, during the period February 20–26, 1956, was attended by representatives from Brazil, Colombia, Mexico, Paraguay, Peru, and Uruguay, a technical adviser from the Permanent Secre-

tariat, and special observers from the American Road Builders' Association, the Inter-American Federation of Automobile Clubs, and the International Road Federation.

Among others, resolutions were approved on the adoption of a symbol to identify the roads of the Pan American Highway System; connection points of the highway system at the boundaries of each country; route of the highway in the Darien region of Panama; alternate highway connections; a report on the present status of the highway networks of the American countries; a report on the preparation of a uniform system for compiling highway statistics; the preparation of uniform traffic regulations for the American countries; and a uniform system of highway signs.

First Meeting of the Technical Committee on Financing.—This committee, which met in Caracas, February 20–27, 1956, was composed of delegates from Bolivia, Colombia, Ecuador, Haiti, Mexico, Nicaragua, Panama, Paraguay, Peru, the United States, and Venezuela. The meeting was also attended by special observers from the American Road Builders' Association and the International Road Federation.

The committee adopted several resolutions, among them Resolution I dealing with the Darien project. In this resolution the committee approved the plans of Darien Subcommittee[7] to establish a p manent office for the subcommittee and t quotas suggested by the Permanent Exec tive Committee to be contributed by t member countries; and urged the press the Hemisphere and parties interested in t development of the Darien region to pub cize the Darien project with the Americ peoples.

Other resolutions dealt with formulas f financing and with international loans, be made in local currency, for highway co struction.

First Meeting of the Technical Co mittee on Terminology.—This meetin which took place in Buenos Aires, fro February 6 to 11, 1956, was attended b representatives from Argentina, Braz Peru, the United States, and Uruguay, a adviser from the Permanent Secretariat the Highway Congresses, and an observ from the International Road Federation.

Resolutions were adopted on acceptan of various bilingual highway glossaries English, Spanish, and Portuguese; definitio of road-classification terms for statistic purposes; organization of national com mittees on highway terminology; and im provement or publication of highway-en gineering glossaries.

[7] The report of the first meeting of the Darien Subcommitt appears in *Annals*, Vol. VII, No. 4, pp. 272–74.

Situation between Costa Rica and Nicaragua[1]

igning of Two Bilateral Agreements

At the meeting held February 24, 1955, he Council of the Organization of American States, acting provisionally as Organ of Consultation for the purpose of settling the lifferences that had arisen between Costa Rica and Nicaragua, approved Resolution I,[2] in which it decided:

1. To make a cordial appeal to the Governments f Costa Rica and Nicaragua to appoint their espective members of the Commission of Investiation and Conciliation that it is incumbent upon hem to name according to Article XVII of the . . . American Treaty on Pacific Settlement, and furhermore, to facilitate in every way the organizaion and functioning of that Commission and to utilize it in the settlement of their controversies.

. . . . . .

3. To make a cordial appeal to the Governments of Costa Rica and Nicaragua regarding the desirability that both sign the bilateral agreement mentioned in Article IV of the Pact of Amity as to the best manner of putting into practice the provisions of the Convention on the Duties and Rights of States in the Event of Civil Strife, in cases contemplated by that Convention, so that it may be applied immediately whenever a situation of this kind arises, in the manner provided for in the said agreement, especially with respect to measures for the control and supervision of frontiers, as well as with respect to any other measure intended to prevent the organization or existence of any revolutionary movement against the Government of either of the two Parties in the territory of the other", and taking specific prior measures to prevent asylees from engaging in activities that would endanger good relations between the two countries.

In response to these appeals, the Representatives of Costa Rica and Nicaragua signed the following Agreements at the Pan American Union, January 9, 1956:

AGREEMENT BETWEEN THE GOVERNMENTS OF THE REPUBLICS OF COSTA RICA AND NICARAGUA IN COMPLIANCE WITH ARTICLE IV OF THE PACT OF AMITY SIGNED ON FEBRUARY 21, 1949

The Governments of the Republics of Costa Rica and Nicaragua, reaffirming their desire to maintain the closest friendship between them, as befits two kindred and neighboring peoples, and to prevent in the future any difference that would interfere with their fraternal relations; desirous of complying with the provisions of Article IV of the Pact of Amity of February 21, 1949, as to the best manner of putting into practice, by means of a Bilateral Agreement, the provisions of the Convention on Duties and Rights of States in the Event of Civil Strife; and recognizing the effective work in behalf of peace by the Council of the Organization of American States acting provisionally as Organ of Consultation, which, in Resolution II of February 24, 1955, called upon the two Governments to sign the aforesaid Agreement, have resolved to sign such an Agreement in the presence of the Chairman and the other members of the Council of the Organization of American States. To this end, His Excellency the President of Costa Rica, Don José Figueres, and His Excellency the President of Nicaragua, General Anastasio Somoza, have designated the following Plenipotentiaries:

For the Republic of Costa Rica: Ambassador Fernando Fournier, Representative of Costa Rica on the Council of the Organization of American States;

For the Delegation of Nicaragua: Ambassador Guillermo Sevilla Sacasa, Representative of Nicaragua on the Council of the Organization of American States;

Who, having exhibited their respective Full Powers, found to be in good and due form, sign the present Agreement:

I

Both Parties, in the spirit that should motivate the members of the Central American family of

[1] The background of this matter appears in *Annals*, Vol. VII, No. 2, pp. 141–60, and Vol. VII, No. 3, pp. 233–35.

[2] *Annals*, Vol. VII, No. 2, pp. 159–60.

nations, will collaborate to the maximum extent possible to carry out those undertakings and activities that require the common effort of both States and that will be of mutual benefit, and especially to facilitate and expedite traffic on the Inter-American Highway and on the San Juan River, within the terms of the Treaty of April 15, 1858, and the arbitral interpretation thereof of March 22, 1888, and also to facilitate the transportation services that might be made to the territory of one Party by enterprises exhibiting the nationality of the other.

II

Both Parties will organize, to the extent they are able and with the greatest determination, the surveillance of their common boundary as a means of preventing either arms or armed parties from crossing illegally from the territory of one of the Parties to that of the other. The authorities of both Governments, and especially the border authorities, will exchange, in the fullest possible form, any information of which they are apprised that will make it possible to prevent such acts.

III

Each Party undertakes to take the necessary measures to prevent revolutionary movements against the other Party from being initiated or carried out in its territory.

Each Party undertakes to take measures of every kind to prevent any person, national or alien, from any place within its jurisdiction, from participation or aiding in any subversive enterprise, terrorist act, or attempt against the Chief of State of the other Party, other members of the Supreme Powers, high civil or military authorities, candidates for such offices, and members of their immediate families, whether or not diplomatic relations between the two Governments exist.

IV

The contribution, furnishing, or provision of arms, war material or equipment, the training, recruitment, organization, or transportation of persons, or the obtaining or furnishing of money for the above-mentioned purposes, in addition to any other similar act, shall be considered as participation for the purposes of the foregoing article.

V

Both Parties agree to apply, with respect to asylees, Articles I, II, III, V, VI, VII, VIII, IX, and X of the Convention on Territorial Asylum, signed at the Tenth Inter-American Conferen which read as follows:

Article I. Every state has the right, in exercise of its sovereignty, to admit into territory such persons as it deems advisal without, through the exercise of this rig giving rise to complaint by any other st

Article II. The respect which, accordi to international law, is due the jurisdictio right of each state over the inhabitants its territory, is equally due, without a restriction whatsoever, to that which it l over persons who enter it proceeding fro state in which they are persecuted for th beliefs, opinions, or political affiliations, for acts which may be considered as politi offenses.

Any violation of sovereignty that consi of acts committed by a government or agents in another state against the life security of an individual, carried out on t territory of another state, may not be co sidered attenuated because the persecuti began outside its boundaries or is due political considerations or reasons of state

Article III. No state is under the obligati to surrender to another state, or to expel fro its own territory, persons persecuted f political reasons or offenses.

Article V. The fact that a person has e tered into the territorial jurisdiction of state surreptitiously or irregularly does n affect the provisions of this Convention.

Article VI. Without prejudice to the pr visions of the following articles, no state is u der the obligation to establish any distinctio in its legislation, or in its regulations or a ministrative acts applicable to aliens, sole because of the fact that they are politic asylees or refugees.

Article VII. Freedom of expression thought, recognized by domestic law for a inhabitants of a state, may not be ground complaint by a third state on the basis opinions expressed publicly against it its government by asylees or refugees, excep when these concepts constitute systemati propaganda through which they incite to th use of force or violence against the goverr ment of the complaining state.

Article VIII. No state has the right t request that another state restrict for th political asylees or refugees the freedom c assembly or association which the latte state's internal legislation grants to all alien

within its territory, unless such assembly or association has as its purpose fomenting the use of force or violence against the government of the soliciting state.

Article IX. At the request of the interested state, the state that has granted refuge or or asylum shall take steps to keep watch over, or to intern at a reasonable distance from its border, those political refugees or asylees who are notorious leaders of a subversive movement, as well as those against whom there is evidence that they are disposed to join it.

Determination of the reasonable distance from the border, for the purpose of internment, shall depend upon the judgment of the authorities of the state of refuge.

All expenses incurred as a result of the internment of political asylees and refugees shall be chargeable to the state that makes the request.

Article X. The political internees referred to in the preceding article shall advise the government of the host state whenever they wish to leave its territory. Departure therefrom will be granted, under the condition that they are not to go to the country from which they came; and the interested government is to be notified.

VI

The right of extradition shall not be applicable when the crime is political or when, although a common crime, it is in connection with a political crime, according to the opinion of the solicited State, unless it should consist of homicide or any other personal attempt against the Chief of State or any other member of the Public Powers.

VII

Each Party undertakes not to appoint asylees in its territory to political or military office.

VIII

Each Party undertakes not to grant in any form whatsoever aid of any kind to any one who attempts in any manner to disturb public order in the territory of the other Party.

IX

Each Party undertakes to prohibit any traffic or commerce in arms or war equipment or munitions from being carried out by nonofficial persons or entities within its jurisdiction.

X

Both Parties agree that any material mentioned in the foregoing article that should be found in the jurisdiction of one of the Parties, in violation of the provisions of that article, shall immediately be confiscated by that Party and the export thereof prevented.

XI

Both Parties agree that any reference in this Agreement or in the Inter-American Convention on Duties and Rights of States in the Event of Civil Strife, to "arms or war material", includes military aircraft, and also civil aircraft when there is reason to believe that such aircraft are going to be used for the purpose of initiating or aiding civil strife in the territory of one of the Parties. Likewise they agree that the references made in the Inter-American Convention on Duties and Rights of States in the Event of Civil Strife to the term "vessels" also include aircraft of any type, military or civil.

XII

Both Parties agree to appoint, within 30 days after the date on which this Agreement enters into force, two Boundary Committees, one with jurisdiction from the channel of the Pizote River—which empties into Lake Nicaragua and serves as a boundary between the Departments of Rivas and Río San Juan on the boundary with Costa Rica—to the Caribbean Sea, and the other from the channel of the same river to the Pacific Ocean. These Committees shall be composed of four officers of the armed forces of the Parties, two to be appointed by each. The Parties shall endeavor to fill any vacancy on the Committees within 30 days after the date on which it occurs. The members of the Committees shall reside, while performing their duties, in the area under their jurisdiction.

XIII

The Boundary Committees shall have as their duty to coordinate the joint surveillance of the common boundary and to investigate any act that might disturb the harmony that should exist between the authorities and inhabitants of both Parties, endeavoring to prevent the occurrence of such acts and trying to settle in a friendly way any disturbance if it does occur, without prejudice to the fact that such acts may be dealt with by direct negotiation between the Governments of the Parties or be referred to the Commission of Investigation and Conciliation that

both Governments have set up pursuant to the American Treaty on Pacific Settlement (Pact of Bogotá).

XIV

This Agreement shall be deposited in the Pan American Union, which shall send a certified authentic copy to the signatory Governments, to the governments of the other member states of the Organization of American States, and to the Secretary General of the United Nations.

This Agreement shall be ratified and enter into force when the ratifications have been deposited in the Pan American Union, which shall report each deposit to the other signatory Government. Such notification shall be considered as an exchange of ratifications.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries sign and seal this Agreement, in the presence of the Chairman and the other members of the Council of the Organization of American States, at the Pan American Union, in the city of Washington, D.C., this ninth day of January, nineteen hundred fifty-six.

FOR COSTA RICA:[3]

(s) FERNANDO FOURNIER

(SEAL)

FOR NICARAGUA:

(s) GUILLERMO SEVILLA SACASA

(SEAL)

AGREEMENT BETWEEN THE GOVERNMENTS OF THE REPUBLICS OF COSTA RICA AND NICARAGUA ON THE FUNCTIONING OF THE COMMISSION OF INVESTIGATION AND CONCILIATION ESTABLISHED IN ACCORDANCE WITH THE AMERICAN TREATY ON PACIFIC SETTLEMENT

The Governments of the Republics of Costa Rica and Nicaragua, taking into consideration their desire that differences and difficulties shall not reoccur between them, to the detriment of their common destiny as members of the American community of nations; recognizing that relations between the two States have special characteristics because these States share a common boundary and in the past have been, together with the other sister republics of Central America, members of a single nation; and desirous of adapting the system of investigation and conciliation provided for in the American Treaty on Pacific Settlement to the special circumstances mentioned above, which shape the relations between the two peoples, sign the following Agreement:

I

Both Parties agree that the Commission of Investigation and Conciliation[4] that has been set up pursuant to paragraph 1 of Resolution adopted on February 24, 1955, by the Council of the Organization of American States, acting provisionally as Organ of Consultation, shall be permanently at the disposal of the Parties to collaborate with them in the best possible application and fulfillment of this Agreement and of international Agreements in force, watching over the maintenance of the peace and harmony that should at all times govern relations between the two Parties. To that end the provisions of this Agreement shall be applied first, and secondarily the provisions of Chapter III of the American Treaty on Pacific Settlement (Pact of Bogotá).

II

Either of the Parties, once the direct negotiations that they are able to carry out are exhausted, shall be empowered to submit to the Commission of Investigation and Conciliation any differences that arise between them, as well as suggestions as to the best manner of ending or preventing friction and differences between the two Parties.

III

Each Party undertakes to take the necessary measures to make promptly effective any provision accepted on the recommendation of the Commission of Investigation and Conciliation or its Committees of Experts.

IV

Both Parties agree to give free access to any place in their respective territories and to grant transportation and observation facilities to the members of the Commission of Investigation and Conciliation, its delegates, advisers, employees and equipment. To this end they will exempt such persons from all immigration or customs formalities for entrance into their respective territories, verifying their identity by means of the document or credentials issued by the Commission.

[3] Costa Rica appended the following statement: "The Republic of Costa Rica inserts in the record that it welcomes the sixth clause of this Agreement, to the extent that it modifies the system of asylum adopted in the Convention approved at the Tenth Inter-American Conference, inasmuch as such modification is based on Article 11, paragraph 7, of the Penal Code of Costa Rica."

[4] For the names of the members of this Commission, see *Annals*, Vol. VII, No. 3, pp. 233-34.

V

Each Party undertakes to exact penalty for ıy violation within its jurisdiction of the right) immunity of the Commission of Investigation ıd Conciliation, its staff, and equipment, and the right to have its deliberations, documents, ıd communications confidential.

VI

Both Parties agree that the members of the ommission of Investigation and Conciliation hall keep their mandate indefinitely unless they esign or are replaced. They likewise agree to ndeavor to ensure that the Commission main- ains its full complement of members, applying nerefor the procedure set forth in Article XVII f the American Treaty on Pacific Settlement. econdarily, the Council of the Organization of merican States shall choose the members, en- eavoring to make its choice from the Permanent anel of American Conciliators.

VII

Both Parties agree that the Commission of nvestigation and Conciliation may:

1. Enjoy authority to exercise surveillance or make observations in any place within the territory of either Party;
2. Request and receive collaboration from the Governments of both Parties and from the organs of the Council of the Organization of American States;
3. Hold meetings, in addition to those held at the request of either of the Parties, in the places and at the times that it deems advisable;
4. Draft the regulations necessary to establish the insignia and identification documents for its members, delegates, advisers, employees, and equipment, determine the rank of the members of its Committees of Experts, and make provision for offices, communication, the use of code for private messages of such Committees, and the guarantees of immunity that its members and staff shall enjoy;
5. Take decisions by a majority vote of its members and make recommendations to the Parties as to the best manner of fulfilling the high purposes sought in concluding this Agreement, including recommendations on international control or surveillance or the demilitarization of any area of the territory of one or both Parties;
6. Appoint Committees of Experts, pursuant to Article XXIV of the American Treaty on Pacific Settlement, to advise it, especially in military matters, choosing their members from among citizens of States other than the Parties.

VIII

Both Parties agree that when any request is received from either of them, the Chairman of the Commission of Investigation and Conciliation is empowered to take the measures necessary to facilitate the performance of the functions entrusted to the Commission by this Agreement. Whenever the Commission considers it advisable, it will submit a report on the progress of its activities to the Governments of both Parties and to the Council of the Organization of American States. The Pan American Union shall be the custodian of the archives of the Commission.

IN WITNESS WHEREOF, the Plenipotentiaries of the Governments of Costa Rica and Nicaragua sign and seal this Agreement in the presence of the Chairman and the other members of the Council of the Organization of American States, at the Pan American Union, in the city of Washington, D.C., this ninth day of January, nineteen hundred fifty-six.

FOR COSTA RICA:

(s) FERNANDO FOURNIER
(SEAL)

FOR NICARAGUA:

(s) GUILLERMO SEVILLA SACASA
(SEAL)

Statements Made at the Signing Ceremony

On the occasion of the signing of the Agreements the Ambassador of Costa Rica, Dr. Fernando Fournier, delivered the following remarks:

MR. CHAIRMAN, MEMBERS OF THE COUNCIL:

I really wish to say only a few words on this occasion. I believe that America is expecting of us all, and particularly of the Parties concerned, more than words—action that will result in an eagerness to carry out the provisions of these documents that have been signed today.

I feel, however, that it is only right to recall here the distinguished Americans who were of so much help to us up to the time that this happy result was achieved. I should like first of all to give credit to my colleague, Ambassador Sevilla

Sacasa. I want to say here quite plainly that his determination, his spirit of cooperation, his good judgment were, as I said but a moment ago to the Special Committee, one of the basic factors that led to the signing of these Agreements.

I should also like to mention the Ambassadors of the United States, Ecuador, Brazil, and Paraguay, who made up the Investigating Committee of the Organ of Consultation, and its Chairman, the great Quintanilla, that genial and indefatigable colleague of ours. Quintanilla and those who worked with him will never be forgotten by this hemisphere. Never will our peoples be able to forget what they did for the peace and harmony of America. I should also like to mention the Ambassadors of El Salvador and Chile, the Representative of Argentina, and the Ambassador of Uruguay who, with the others I have mentioned, composed the Special Committee created by the Organ of Consultation to help us bring to a happy conclusion the negotiations that have reached their culmination today. I should like to pay special tribute to our good friend Mora, for we shall always be grateful to him in my country, and I feel sure that this is also true of all the other peoples of America. He is, perhaps, the true hero of this experience. As Chairman of the Council and as Chairman of the Special Committee, he knew at all times how to be a true American, a hero, as heroes should be in these times: not a hero of the sword, but a hero of inter-American law, understanding, and cooperation. I pay all honor to him at this time, and with him to our other colleagues on the Committee and the Council who shared our feelings and supported us in those difficult hours. Nor should we forget our beloved present Chairman, Ambassador Delgado, whose constant and efficacious work in the Organ of Consultation and whose most recent activities as Chairman of the Council of the Organization have been of such great help in carrying out the last details in connection with the signing of these Agreements. Nor do we forget all the other members of this Council. And let us not forget a great American who is absent now, but who has recently played a most important role in the effort to achieve the signing of these Agreements. I refer to Dr. Trabanino, the Secretary General of the Organization of Central American States. To all, we are eternally grateful; to all we extend our sincerest thanks.

At times the experience was one of anguish, sacrifice, and sorrow for the Costa Rican people; but we are satisfied. We are satisfied because we are certain that this experience will be an extremely important link in the historic chain of the hemisphere and of the inter-American syste Those moments of anguish served to establis great precedent in the constant battle that Am ica is waging to create a world of harmony, justi and mutual respect among nations, a world wh right holds sway.

And now all that remains for us, and I f sure that in this we are joined by our colleague a friend, Ambassador Sevilla Sacasa, and his peop all that remains for us, the Costa Ricans, is deliver to America these documents that we ha signed today. We feel certain that they will of some service, and I say this without undue mo esty, to America, and, perhaps, to the wor Many features of these Agreements are somethi entirely new, something different in the annals American international law and that of the re of the globe. Perhaps some of these features a unique because they are bound to be unique, i asmuch as the Agreements are between two cou tries like Costa Rica and Nicaragua, which fe themselves at heart to be part of a single fathe land, Central America. This has been particular true in recent years, when our younger generati has begun to understand that, in the last analys our destiny lies in joining with Nicaragua a the three other nations that compose the Centr American family because therein lies our pr tection, for we shall be able to survive only if v become flesh of our flesh and blood of our bloo These facts and these circumstances are, perhap the reason why these documents can be applicab only to nations such as ours. But there are oth respects in which we are also—let us acknowledg it here—giving an example to America. We a endeavoring, if possible, to make certainties of th principles of Americanism, peace and harmon and recognition of the equality and sovereignty nations. We pass these documents on to Americ so that if they can be in any way useful, Americ may make use of them. All that remains for m now is to promise here, for my country, that w will know how to carry out with good faith an with good intent not only the text, that is, th letter of these Agreements, but also the spiri in which we have signed them. I make this promis here, before the conscience of America, and ma America hold me and my compatriots to it, if w should at any time fail to carry it out.

Following this the Ambassador of Nica ragua, Dr. Guillermo Sevilla Sacasa, spok as follows:

Mr. Chairman of the Council of the Organi zation of American States, Messrs. Ambas sadors, Gentlemen:

When the Governments of Costa Rica and icaragua signed the Pact of Amity on February , 1949, they not only solemnly reaffirmed their esire to maintain the closest friendship and to rengthen the fraternal bonds that have historilly characterized their relations, but they also ndertook to reach an agreement as to the best anner of putting into practice the provisions the Convention on the Duties and Rights of tates in the Event of Civil Strife, especially with espect to measures for boundary control and ipervision.

On that memorable occasion I said—and I m happy to repeat it now—that that pact put the eal on the aspiration of our peoples to live toether fraternally in the inspiration of our comion history, and that it was at the same time a ving example of the practical application of the merican principles and rules that permit two r more States of this hemisphere to adjust their ifferences by the peaceful means set forth in nternational law, in an atmosphere of general ordiality that recognizes the principle of equality f States as the main foundation of the juridicality f the Organization of American States.

Moved by a common desire, and with an undertanding of this fraternal relationship, the Govrnments of Costa Rica and Nicaragua devoted hemselves with stubborn determination to the ask of finding an acceptable formula that would atisfy the extremes of Resolution II adopted on February 24, 1955, by the Council of the Organization of American States acting provisionally s Organ of Consultation, and at the same time afford a maximum of security to both republics.

Our governments have always been eager to exchange plans and ideas, knowing that their effort would be appreciated by our peoples and also by the Council of the Organization. In this work of good understanding we have had the able and diligent cooperation of Dr. José A. Mora, the Ambassador of Uruguay and former Chairman of the Council, and the friendly aid of the distinguished members of the committee of good offices that was established to provide the Parties with its cooperation whenever they desired it.

With personal satisfaction I reiterate to all of them, to Dr. César Tulio Delgado, Chairman of the Council, and to the members of the Investigating Committee, Ambassadors Luis Quintanilla, John C. Dreier, José R. Chiriboga V., Fernando Lobo, and Guillermo Enciso Velloso, the gratitude of my country for the delicate task that they carried out with great zeal and good judgment, and in a conciliatory spirit.

It is with equal satisfaction that I thank my esteemed friend Fernando Fournier, the Ambassador of Costa Rica, for his valuable contribution to the happy culmination of our efforts, which we are today celebrating.

The Agreement we have signed supplements the 1949 Pact of Amity. The request that the Council made to the Governments of Costa Rica and Nicaragua in the resolution of February 24 has been carried out. For the protection of both Parties, my Government would have liked to have had in this Agreement more concrete provisions governing asylees, but it did not insist upon carrying through its first proposal and, in a spirit of conciliation, agreed that nine articles from the Convention on Territorial Asylum signed at the Tenth Inter-American Conference at Caracas should be placed in the Agreement after the Government of Costa Rica had accepted the provision in which it is stated that extradition shall be in order when the crime consists of homicide or any other personal attempt against the Chief of State or any other member of the Public Powers.

We know that the Agreement satisfies a common aspiration. Its high purposes will not be achieved, however, unless each of the Parties to it shows good faith and the good will to carry it out. Written conventions are useless if one of the Parties to them lacks either of these two qualities. However, when good faith governs international relations, documents are superfluous. This is the truth, and on the basis of this criterion, I have the honor to affirm a good faith on the part of my Government that cannot at any time, or under any circumstances, be placed in doubt. It is with the same assurance that I vouch for Nicaragua's wholehearted desire to fulfill each and every part of this Agreement.

The right of asylum, which is included as one of the basic rights in the American Declaration of the Rights and Duties of Man approved at the Ninth International Conference of American States, held in Bogotá, is an American juridical principle that is established in international conventions and supported by international law as a highly respected humanitarian institution. It should, however, be administered with care so that it will not cause uneasiness in our countries or become a threat to their peace and to the tranquility of the hemisphere, or a source of abuse and insult.

It does not seem logical that two neighbor States should find the origin of their discord in their closeness to one another. It is not possible to think this or to admit it. Geographic closeness should rather be the reason for closer international relations and if, in some way, political refugees throw these relations out of balance, it is a high

duty of the State, for the sake of peace, to so act as to avoid danger. We say, therefore, that if political refugees threaten the tranquility of a State in any way, specific measures should be taken with respect to those refugees if we wish to maintain a system of concord and friendship.

In another document, "The Governments of Costa Rica and Nicaragua, taking into consideration their desire that differences and difficulties shall not reoccur between them, to the detriment of their common destiny as members of the American community of nations; recognizing that relations between the two States have special characteristics because these States share a common boundary and in the past have been, together with the other sister republics of Central America, members of a single nation; and desirous of adapting the system of investigation and conciliation provided for in the American Treaty on Pacific Settlement to the special circumstances... which shape the relations between their two peoples," have agreed upon the manner of functioning of the Commission of Investigation and Conciliation established by both governments in accordance with the American Treaty on Pacific Settlement. In keeping with the Agreement that has been signed, either of the Parties, once the direct negotiations that they are able to carry out are exhausted, shall be empowered to submit to the Commission of Investigation and Conciliation any differences that arise between them, as well as suggestions as to the best manner of ending or preventing friction and differences between them.

The resolutions of February 24, 1955, put an end to the accusations that had been made by Costa Rica and Nicaragua against each other and that had, for some time, held the attention of the hemisphere. Since these resolutions recognized neither conqueror nor conquered, this solemn hour in which these two governments are answering the earnest call of the Council to bring the aforesaid Agreement to a happy conclusion should be an hour of fullest rejoicing. And may this day open a new chapter of true understanding for our peoples because only in that way, with good faith, good will, and respect, can we strengthen the peace. May the feeling of fear never be met with again, and may the peoples of Costa Rica and Nicaragua face the future with optimism as true friends, for history has already made them brothers.

My Government hopes that the Government of Costa Rica shares these feelings of brotherhood and peace.

Others who spoke at the ceremony w the Representative of Mexico, Dr. I Quintanilla, Chairman of the Investigat Committee; the Ambassador of Urugu Dr. José A. Mora, Chairman of the Spe Committee; and the Representative Colombia, Dr. César Tulio Delgado, Ch man of the Council of the Organization.

Resolution of the Council

On January 18, 1956, the Council of Organization considered a report[5] of Special Committee regarding the sign of the aforesaid Agreements, and appro the following resolution:

The Council of the Organization of Ameri States,

CONSIDERING:

That, in the resolution of September 8, 19 when the Council, acting provisionally as Org of Consultation, canceled the convocation of Meeting of Ministers of Foreign Affairs contai in the Resolution of January 11, 1955, and ter nated its provisional activities as Organ of Cons tation, it decided to retain the Special Commit established on February 24 while the negotiatic for the signing of the bilateral agreement provid for in Resolution II of that date were in cour and requested that the said Special Committ duly report on this matter[6] to the governmen through the Council of the Organization; and

HAVING SEEN:

The report of the Special Committee, present at today's meeting, by which its activities a declared terminated,

RESOLVES:

To note with great satisfaction the happy r sults of the bilateral negotiations between t Governments of Costa Rica and Nicaragua and transmit to the governments of the member state through their Representatives on the Counc the report of the Special Committee, togeth with the texts of the agreements signed by t Governments of Costa Rica and Nicaragua at t Pan American Union on January 9, 1956.

[5] Document C-i-293 (Rev.), Pan American Union, Janua 18, 1956.

[6] *Annals*, Vol. VII, No. 3, pp. 234-35.

COUNCIL

OF THE ORGANIZATION OF AMERICAN STATES

WASHINGTON, D. C.

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VENEZUELA	TITO GUTIÉRREZ ALFARO

* Ambassador Mora was elected Secretary General of the Organization on January 16, 1956, and took office on April 2.

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